**R704. Public Safety, Emergency Management.**

**R704-4. Disaster Response, Recovery, and Mitigation Grant Funding.**

**R704-4-1. Authority.**

This rule is authorized by Section 53-2a-1305.

**R704-4-2. Purpose.**

This rule establishes requirements, procedures, and standards for administering the account described in Title 53, Chapter 2a, Part 13, Disaster Response, Recovery, and Mitigation Restricted Account.

**R704-4-3. Definitions.**

(1) Terms used in this rule are defined in Sections 53-2a-102 and 53-2a-1301.

(2) Additional terms are defined as follows:

(a) "affected community member support services" means actions taken by a governing body to support their affected community members that are intended to support the affected community member to make their home or business safe, sanitary, and functional, and are not covered by insurance;

(b) "essential utility services" means an appliance and its utility connection providing electricity, sanitation, heat, or climate control systems necessary to make a structure habitable or for medical necessity;

(c) "facility" means a building or system, built or manufactured, or an improved and maintained natural feature;

(d) "governing body" means the same as defined in Section 53-2a-602;

(e) "incident" means a disaster event that causes damage of sufficient severity and magnitude to warrant disaster assistance to supplement the efforts and available resources of the state, a local government, or a disaster relief organization in alleviating the damage, loss, hardship, or suffering;

(f) "incident period" means the time interval during which the disaster-causing incident occurs as established by the division in consultation with other agencies as necessary;

(g) "post-disaster mitigation integrated repairs" means disaster mitigation measures directly related to recovery damage repair projects that directly reduce the potential of future damage to the facility that was damaged in the incident; and

(h) " recovery damage repair" means the restoration of disaster-damaged publicly owned infrastructure and facilities.

**R704-4-4. Eligibility After Declared Disaster.**

A governing body of an affected community requesting funding under this rule after a declared disaster shall:

(1) have experienced a disaster in the affected community that results in a local, state, or presidential disaster declaration;

(2) submit an official damage assessment as described in Section R704-4-6 to the division; and

(3) develop a disaster recovery plan in consultation with and as outlined by the division.

**R704-4-5. Eligibility for Pre-disaster Mitigation Funds.**

A governing body of an affected community requesting pre-disaster mitigation funding shall have an identified pre-disaster mitigation project that supports:

(1) mitigation strategies identified in their local hazard mitigation plan; or

(2) the Utah Enhanced State Hazard Mitigation Plan.

**R704-4-6. Application for Funds After Declared Disaster.**

A governing body of an affected community applying for disaster response, recovery, and mitigation grant funding shall submit to the division:

(1) an application in a form approved by the division;

(2) documentation of:

(a) financial records;

(b) supporting documents;

(c) statistical records; and

(d) any other records pertinent to costs associated with response, recovery, and mitigation; and

(3) an official damage assessment including:

(a) a completed preliminary damage assessment form provided by the division; and

(b) associated documentation supporting the damage and costs identified in the assessment.

**R704-4-7. Application for Funds for Pre-disaster Mitigation.**

(1) A governing body of an affected community applying for pre-disaster mitigation grant funding shall submit to the division:

(a) an application in a form approved by the division;

(b) documentation of:

(i) financial records;

(ii) other funding eligible or applied for;

(iii) supporting documents including:

(A) a hazard mitigation plan;

(B) construction plans;

(C) records of historical damage for the planned area; and

(D) any other records pertinent to costs associated with response, recovery, and mitigation; and

(c) a statement justifying why the affected community did not accept or seek funding from other sources if applicable.

(2)(a) Pre-disaster mitigation projects shall only be considered when the balance of the account is in excess of $10,000,000 at the end of the fiscal year; and

(b) up to 25% of the excess balance may be dispersed for pre-disaster mitigation.

**R704-4-8. Application Review After Declared Disaster.**

(1) The division shall:

(a) confirm that the applicant is an eligible governing body of an affected community;

(b) review applications received for eligibility, completeness, applicability, and feasibility; and;

(c) score, rank, and prioritize applications for equitable and cost-effective grant award distribution.

(2) The costs submitted in the application shall:

(a) be the responsibility of the governing body of the affected community, or an individual or entity as allowed in Subsections 53-2a-1304(1)(a) through (c);

(b) have resulted from the disaster-causing incident which took place during the incident period, have occurred in anticipation of that incident, or be necessary to an eligible disaster mitigation measure;

(c) meet the requirements for eligible costs under Section R704-4-12; and

(d) not be eligible for and not have been reimbursed by any other available sources of funding, such as:

(i) insurance coverage;

(ii) FEMA public assistance or individual assistance programs;

(iii) other relevant federal disaster grant funding; or

(iv) services as provided by voluntary or non-profit disaster organizations.

**R704-4-9. Application Review for Pre-disaster Mitigation Funds.**

(1) If there are funds available in accordance with Subsection R704-4-7(2), the division shall:

(a) confirm that the applicant is an eligible governing body;

(b) review applications received for eligibility, completeness, applicability, and feasibility; and;

(c) score, rank, and prioritize applications for equitable and cost-effective grant award distribution.

(2) The costs requested in the application shall:

(a) be the responsibility of the governing body;

(c) meet eligible costs under Section R704-4-12; and

(d) not be eligible for and not have been reimbursed by any other available sources of funding.

**R704-4-10. Prioritization of Awards for Grant Applications.**

In accordance with Sections 53-2a-1302 and 53-2a-1305, the division shall consider the following criteria in prioritizing and awarding grant funding:

(1) the available balance in the account;

(2) other sources of funding for disaster response, recovery, and mitigation the governing body may be eligible for;

(3) for a declared disaster, the severity or scale of the disaster, including:

(a) the severity of the impact on an affected community that submitted a grant application; and

(b) the number of affected communities that submit a grant application;

(4) for a pre-disaster mitigation project, the anticipated severity or scale of the disaster without the mitigation including:

(a) the potential impact on an affected community that submitted a grant application; and

(b) the number of affected communities that submit a grant application; and

(5) the reasonableness, allocability, and allowability of costs submitted with the application.

**R704-4-11. Grant Awards.**

(1) Grant funds shall be obligated after applications and corresponding documents are submitted, processed, validated, approved, and appropriately signed by the applicant and the director.

(2) Disbursement of grant proceeds to the grantee shall take place within 10 business days of final approval of the grant application and corresponding documentation.

(3) Pre-disaster mitigation awards must be approved and noticed as required by Subsection 53-2a-1302(7).

**R704-4-12. Eligible Costs.**

(1) Costs eligible for consideration under the Disaster Response, Recovery, and Mitigation Restricted Account grant application, in addition to allowed uses under Section 53-2a-1304, include:

(a) emergency disaster services as defined in Section 53-2a-602;

(b) necessary and reasonable pre-disaster mitigation activities and post-disaster mitigation integrated repairs; and

(c) affected community member support services, if the grant funds are managed and distributed by the governing body of the affected community.

(2) Eligible costs for affected community member support service actions may include:

(a) relevant costs associated with emergency disaster services as defined in Section 53-2a-602; and

(b) costs for services provided to assist affected community members with repair or replacement of essential utility services.

(3) The division may exclude any expenses or portion of expenses not deemed necessary, required, appropriate, equitable, or beneficial.

**KEY: response grant funding; recovery grant funding; post-disaster mitigation grant funding; pre-disaster mitigation grant funding**

**Date of Last Change: December 22, 2025**

**Authorizing, and Implemented or Interpreted Law: 53-2a-102; 53-2a-1301; 53-2a-1302; 53-2a-1303; 53-2a-1304; 53-2a-1305**