



Frequently Asked Questions:

- **Do local Tribes or Counties need to declare?**
 - The State Emergency Declaration the Governor signed on March 6, 2020 covers all jurisdictions within the State.
 - Any Tribe and/or County can still declare a local emergency.
 - There may be specific authorities a local declaration grants the chief executive officer.
 - There is no specific threshold to declare an emergency.

- **What benefits come from a declaration?**
 - We do not know what, if any, requirements will be attached to the Health and Human Services (HHS) funding allocated by Congress, but all indications are there will be no need for a local declaration.
 - Currently there is no State or FEMA funding available for COVID-19 response.
 - This includes the newly created State Disaster Recovery and Mitigation Account
 - There may be other funding options, or State/FEMA funding may become available in future, but it is not guaranteed.
 - If FEMA funding is made available, there would need to be a local declaration.
 - SBA LOANS - There is an opportunity for private and non-profit businesses to access Working Capital Loans through an SBA Economic Injury Declaration. Please see the [SBA Economic Injury Declaration](#) page included in this guidance for more information.

- **What language - 'damages', needs, statutes, etc - should be put into the declaration?**
 - Declaration templates are included with this guidance. You may use these or create your own. There are two examples -
 - Local State of Emergency (county/city/tribe)
 - Local Public Health Emergency (local health dept)
 - Reference any ordinances, statutes, or regulations that empower the local authority (public health officer, emergency manager, mayor, sheriff, etc.) to declare an emergency.
 - Include information about the local impacts or possible impacts that necessitate a declaration - i.e. # of positive or suspected cases, vulnerable local populations, strained or limited resources, etc.
 - Information about Federal declarations and international/national numbers and concerns are already included in the draft examples below. You may also use language from the state declaration about COVID-19 concerns.
 - Include gaps, and support you need
 - Include any directives the county or tribe puts into place

- Include any restrictions the county or tribe may have
- **Besides a declaration, what can we start doing?**
 - Set up a cost code and start tracking any costs associated with your response. Expect to cover the costs with local funds as federal or state funds are not available at this time.
 - Work with and maintain unified public messaging with your local health department.
 - Consider the unique challenges of, and local resources for, quarantine/isolation or sick patient transport for residents and visitors in your jurisdiction. Begin planning your approach to these issues for if/when you have positive cases.
- **Where can we get current information to help in our messaging and planning?**
 - For information and updates from DEM use the latest Situation Report
 - For information about COVID-19 and Public Health visit:
 - <https://coronavirus.utah.gov/>
 - <https://www.cdc.gov/coronavirus/2019-ncov/index.html>
 - For information on best practices and regulations regarding quarantine/isolation protocols visit:
 - <https://www.cdc.gov/quarantine/index.html>
- **How will we know if/when funding does become available for use with COVID-19?**
 - Utah Division of Emergency Management will continue to monitor new emergency funding options and current FEMA grant programs for changes in eligibility and availability of funds for COVID-19. We will notify local jurisdictions if funds become available.
 - Utah Department of Health will be working and communicating with your local health departments on the use and availability of public health funds and resources.

Declaration Templates/Examples

- **Templates for drafting a local State of Emergency (tribe/county) and/or a Public Health Emergency (local public health department) are included on the following pages.**
 - Many counties in other states have chosen to co-declare with their local health department and release local State of Emergency and Public Health Emergency declarations at the same time.
 - You may use the template directly, simply editing the necessary information **highlighted in grey**, or you may use the template as a starting point for creating your own local declaration form.

Draft Declaration - Local State of Emergency (by county/city)

WHEREAS, [Enter the local ordinance that authorizes you to make an emergency declaration, or use the language you have established for previous declarations.] and

WHEREAS, On January 21, 2020, the Utah Department of Health activated its Department Operations Center in response to the evolving COVID-19 global outbreak. The Utah Department of Health recognizes COVID-19 as an imminent threat to the health and safety of the residents of Utah; and

WHEREAS, On February 28, 2020, the State Emergency Operations Center raised its activation level to *Level 3 - Elevated Action*. The Utah Division of Emergency Management and The Utah Department of Health activated a Joint Information System for public information; and

WHEREAS, The CDC identifies the potential public health threat posed by COVID-19 both globally and in the United States as “high”, and has advised that person-to-person spread of COVID-19 will continue to occur globally, including within the United States; and

WHEREAS, The Utah Department of Health recognizes that confirmed community transmission in the United States significantly increases the risk of exposure and infection to the State of Utah’s general public and creating an extreme public health risk that may spread quickly; and

WHEREAS, Due to the identification of COVID-19 cases in Utah, including [local jurisdiction], COVID-19 has created conditions that are or are likely to be beyond the control of local resources and require the combined forces of other political subdivisions to combat; and

WHEREAS, the [local public health authority] has determined that there is an imminent and proximate threat to the public health from the introduction of COVID-19 in [local jurisdiction], and has concurrently declared a Local Health Emergency; and

WHEREAS, the mobilization of local resources, ability to coordinate interagency response, accelerate procurement of vital supplies, and use mutual aid will be critical to successfully responding to COVID-19; and

WHEREAS, these conditions do create a “State of Emergency” within the intent of the Disaster Response and Recovery Act found in Title 53, Chapter 2a of the Utah Code Annotated 1953, as amended; and necessitate that the [local jurisdiction] proclaim the existence of a local emergency,

NOW, THEREFORE, IT IS HEREBY PROCLAIMED AND ORDERED by the [local authority] that a local emergency exists in [local jurisdiction], and shall remain in effect for no longer than 30 days unless ratified by the [local authority/board/etc] and continued for up to an additional 30 days; and

ENTER ANY ADDITIONAL LOCAL AUTHORITIES, PROCESSES, or REQUIREMENTS supporting or necessary for your local declaration.

Draft Declaration - Public Health Emergency (by local Health Department)

WHEREAS, *[Enter the local or state ordinance that authorizes you to make a public health emergency declaration, or use the language you have established for previous declarations]*, and

WHEREAS, On January 21, 2020, the Utah Department of Health activated its Department Operations Center in response to the evolving COVID-19 global outbreak. The Utah Department of Health recognizes COVID-19 as an imminent threat to the health and safety of the residents of Utah. The Utah Department of Health, Local Health Departments, and health and medical partners have activated response plans and protocols to prepare for the likely arrival of the virus in Utah. These partners have also worked to identify, contact, and test others in the State of Utah potentially exposed to COVID-19 in coordination with the United States Centers for Disease Control and Prevention (CDC); and

WHEREAS, On January 31, 2020, the United States Department of Health and Human Services Secretary Alex Azar declared a public health emergency for COVID-19, beginning on January 27, 2020; and

WHEREAS, The CDC identifies the potential public health threat posed by COVID-19 both globally and in the United States as “high”, and has advised that person-to-person spread of COVID-19 will continue to occur globally, including within the United States; and

WHEREAS, As of *[Date]*, the CDC currently indicates there are over *[#]* confirmed cases of COVID-19 worldwide with over *[#]* of those cases in the United States, including *[#]* in Utah, with *[#]* in *[local jurisdiction]*; and

WHEREAS, The Utah Department of Health recognizes that confirmed community transmission in the United States significantly increases the risk of exposure and infection to the State of Utah’s general public and creating an extreme public health risk that may spread quickly; and

WHEREAS, To combat the spread of COVID-19 the State of Utah and counties of *[declared counties]* have each declared local health emergencies and proclaimed local emergencies.

WHEREAS, The *[Local public health authority]* finds the above facts raise the likelihood of widespread community transmission occurring among the general public and the need for the *[local jurisdiction]* and public to work cooperatively and proactively to slow the spread of COVID-19 and address any challenges that may arise due to this disease in *[local jurisdiction]*.

WHEREAS, The *[local authority - health officer, etc]* does hereby find that there is an imminent and proximate threat to public health from the introduction of COVID-19 in *[local jurisdiction]*.

NOW, THEREFORE, The *[local authority - health officer, etc]* hereby declares that a local health emergency exists in the *[local jurisdiction]*.

This declaration shall remain in effect for no longer than 30 days unless ratified by the *[local authority/board/etc]* and continued for up to an additional 30 days.

SBA Economic Injury Declaration

New federal legislation and appropriations has opened up the possibility for small businesses to receive assistance for economic loss due to COVID-19. Details of eligibility and administration of this assistance from SBA are still being addressed. However, some information from the traditional SBA Economic Injury Disaster Loan (EIDL) program will still apply for COVID-19.

- If a small business has suffered substantial economic injury as a result of COVID-19, it may be eligible for financial assistance from the U.S. Small Business Administration.
- Small businesses and small agricultural cooperatives that have suffered substantial economic injury may be eligible for the SBA's Economic Injury Disaster Loan (EIDL) Program.
- Substantial economic injury is the inability of a business to meet its obligations as they mature and to pay its ordinary and necessary operating expenses.
- An EIDL can help meet necessary financial obligations that a business could have met had the disaster not occurred.
- It provides relief from economic injury caused directly by the disaster and permits the business to maintain a reasonable working capital position during the period affected by the disaster.
- The SBA provides EIDL assistance only to those businesses that SBA determines are unable to obtain credit elsewhere.
- The loan amount will be based on the business' actual economic injury and financial needs.
- The interest rate on EIDLs cannot exceed 4 percent per year.
- The term of the loans cannot exceed 30 years.
- Terms and conditions will be determined by the business' ability to repay the loan

How do we get an SBA Declaration?

The State must request an Economic Injury Declaration from SBA through the Governor. In order to do so affected businesses will need to complete SBA's Estimated Economic Injury Worksheet and submit them to the Utah Division of Emergency Management (DEM).

- Follow this link for the [Economic Injury Worksheet](#)
- Have businesses turn them in to the local EMs or LNOs
- Please submit worksheets to DEM via email to jannawilkinson@utah.gov

If enough businesses within the state can show economic injury due to impacts of COVID-19 SBA will grant an Economic Injury Declaration.

- Counties with at least 1 business that meets the Estimated Economic Injury Worksheet requirements will be included in the declaration.
- Counties contiguous to declared counties will also be included and eligible.
- Counties may be added after the Declaration if eligible.

For any questions regarding the SBA Economic Injury Declaration process please contact Janna Wilkinson, DEM Individual Assistance Recovery Officer, at jannawilkinson@utah.gov or (385)-214-5857.