

## 4. Local Planning Requirements

This section provides detailed guidance on how FEMA interprets the various regulations required for all local mitigation plans. The local mitigation plan requirements include the following elements:

- Element A: Planning Process.
- Element B: Hazard Identification and Risk Assessment.
- Element C: Mitigation Strategy.
- Element D: Plan Maintenance.
- Element E: Plan Update.
- Element F: Plan Adoption.
- Element G: High Hazard Potential Dams (required for HHPD Grant Program).
- Element H: Additional State Requirements.

Many requirements call for the plan to “document,” “describe,” “provide” and “include” information. FEMA does not require any specific format for the plan or its content, and recognizes that many variations and types of documentation, such as narratives, tables, lists, maps, etc., may meet a requirement.

The Local Mitigation Plan Review Tool (PRT) is used to document that each requirement is met for each participating jurisdiction. Local staff may use the PRT as a checklist to ensure all requirements have been addressed. FEMA and the state may also use the PRT to provide additional feedback to local governments, including special districts, that exceed the requirements. FEMA and the state may use the PRT to recommend improvements that may increase effectiveness. See [Appendix A: Local Mitigation Plan Review Tool](#).

Specific terms used in the relevant regulation and this guidance are defined in Appendix E: Acronyms and Definitions, and inserted where necessary. For example, many plan sections require a “discussion” or “description.” FEMA considers the plan to be a written record of the planning process that forms the basis for future actions and decisions. Therefore, many of these terms have the same meaning: to document *how and what* was considered and done as part of the process.

Finally, an important distinction must be made between the words “shall,” “must” and “should,” as used in the Mitigation Planning regulation at 44 CFR Part 201. Any use of the terms “shall” or “must” denotes a mandatory requirement for plan approval. Any use of the term “should” signifies a recommended action that is encouraged and may increase the effectiveness of the plan, but is not mandatory or necessary for plan approval. These “shoulds” can assist with meeting the “musts” and will strengthen the overall plan.

## 4.1. Element A: Planning Process

**Overall Intent.** The planning process section of the mitigation plan documents how the plan was developed, who was involved and what data and information were used to build or update the plan. A successful planning effort includes active participation and buy-in from community leaders, stakeholders and the public. Collaboration among various sectors ensures that mitigation capabilities continue to grow and that comprehensive mitigation includes strategies for all community sectors. Examples of sectors with mitigation capabilities are those agencies and stakeholders responsible for:

- Emergency management.
- Economic development.
- Housing.
- Health, education and human services.
- Infrastructure (including transportation and other community lifelines).
- Natural and cultural resources.

In addition, FEMA's [National Response Framework, 4th Edition](#) identifies critical [community lifelines](#) which are the most fundamental services in the community that, when stabilized, enable all other aspects of society to function. Community lifelines include the following:

- Safety and Security.
- Food, Hydration and Shelter.
- Health and Medical.
- Energy.
- Communications.
- Transportation.
- Hazardous Materials.
- Water Systems.

Efforts to mitigate potential impacts to community lifelines are key to building resilience. These community lifelines connect to the sectors in the National Mitigation Framework and the Recovery Support Functions under the [National Disaster Recovery Framework](#); the same agencies and departments that support these sectors also often support community lifelines and the recovery mission.

Involving members from these key sectors in the planning process will result in a shared understanding of risks. It will also help build widespread support for directing financial, technical and human resources toward natural hazard risk reduction.

Documenting the planning process is a crucial step for future plan updates. By building on the work that has already been done, the community can incorporate best practices and insights learned from previous processes while avoiding past challenges.

## Element A Requirements

### **A1. Does the plan document the planning process, including how it was prepared and who was involved in the process for each jurisdiction? (Requirement 44 CFR § 201.6(c)(1))**

**A1-a.** The plan must describe the current planning process. Documentation requirements typically are met with a narrative description, but may also include other records such as copies of meeting minutes, sign-in sheets or newspaper articles. When a narrative description is provided, supporting documentation such as meeting minutes, sign-in sheets, etc., does not need to be included in the plan itself. Planners are encouraged to retain supporting documentation in a Plan Appendix as a record of how decisions were made and who was involved.

**Document** means to provide factual evidence for how the participants developed/updated the plan.

**Involvement** means being engaged and actively participating in the development of the plan; providing input and directly providing, affecting or editing plan content as the representative of the participating jurisdiction(s) or organization.

*If applicable, ensure that participating Community Rating System (CRS) jurisdictions maximize points throughout the planning process.*

**A1-b.** The plan must list the representatives from each of the participants in the current plan that will seek approval, and how they participated in the planning process.

The plan must identify who participated, by agency and title.

**Participant** means any local government or entity developing or updating a local mitigation plan.

**Participation** means being engaged and having the chance to provide input on the plan. It can be defined and met in a variety of ways (such as attendance at meetings, reviewing and commenting on drafts, etc.).

## Element A Requirements

**A2. Does the plan document an opportunity for neighboring communities, local and regional agencies involved in hazard mitigation activities, and agencies that have the authority to regulate development, as well as businesses, academia and other private and non-profit interests to be involved in the planning process? (Requirement 44 CFR § 201.6(b)(2))**

**A2-a.** The plan must provide documentation of an opportunity for stakeholders to be involved in the current planning process. Documentation of this opportunity must identify how each of the following types of stakeholders were presented with this opportunity, as applicable.

1. Local and regional agencies involved in hazard mitigation activities:
  - Examples include public works, emergency management, local floodplain administration and Geographic Information Systems (GIS) departments.
2. Agencies that have the authority to regulate development:
  - Examples include: zoning, planning, community and economic development departments; building officials; planning commissions; or other elected officials.
3. Neighboring communities:
  - Examples include adjacent local governments, including special districts, such as those that are affected by similar hazard events or may share a mitigation action or project that crosses boundaries. Neighboring communities may be partners in hazard mitigation and response activities, or may be where critical assets, such as dams, are located.
4. Representatives of businesses, academia, and other private organizations:
  - Examples include private utilities or major employers that sustain community lifelines.
5. Representatives of nonprofit organizations, including community-based organizations.
  - Examples include housing, healthcare or social service agencies.

An **opportunity to be involved** in the planning process means that these stakeholders are invited to be engaged or are asked to provide information or input to inform the plan's content.

**Community Lifelines** are the most fundamental services in the community that, when stabilized, enable all other aspects of society to function. The integrated network of assets, services and capabilities that provide community lifeline services are used day to day to support recurring needs. Lifelines enable the continuous operation of critical government and business functions and are essential to human health and safety or economic security, as described in the National Response Framework, 4th Edition.

*The specific entities may be defined by each jurisdiction based on the unique characteristics of the local government, including special districts. The purpose of inviting input is to integrate natural hazard risk reduction across all community systems, as well as encouraging implementation of mitigation actions.*

## Element A Requirements

### **A3. Does the plan document how the public was involved in the planning process during the drafting stage and prior to plan approval? (Requirement 44 CFR § 201.6(b)(1))**

**A3-a.** The plan must document how the public had an opportunity to be involved in the current planning process, and what that participation entailed. The opportunity must occur during the plan's development, which means prior to the plan's submission for formal review. In addition, the plan must document how public feedback was included throughout the planning process.

*Examples of documentation include, but are not limited to, narratives, materials from open meetings, screenshots of social media postings and/or interactive websites with drafts for public review and comment, questionnaires or surveys through utility bills, etc.*

### **A4. Does the plan describe the review and incorporation of existing plans, studies, reports and technical information? (Requirement 44 CFR § 201.6(b)(3))**

**A4-a.** The plan must document what existing plans, studies, reports and technical information were reviewed and how they were incorporated, if appropriate, into the development/update of the plan.

For jurisdictions with structures for which National Flood Insurance Program (NFIP) coverage is available, regulatory flood mapping products<sup>6</sup> are required to be incorporated, if appropriate.

*Participants may use other jurisdiction-specific materials, including non-regulatory flood mapping products, that improve upon NFIP regulatory flood mapping products.*

*Gaps and limitations may be addressed as actions in the mitigation strategy, in particular for items that require additional assistance.*

**Incorporate** means to reference or include information from other existing sources to form the content of the mitigation plan.

*The documentation requirement may be met with narrative or citations (i.e., footnotes, in-text citations or a bibliography). Examples of the types of existing sources include, but are not limited to: the state hazard mitigation plan; local plans (such as comprehensive/master/general land use, economic development, capital improvement, affordable housing, resource management, resilience, etc.); and hazard-specific reports and plans (such as Community Wildfire Protection Plans).*

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<sup>6</sup> **Regulatory flood mapping products** are intended to be used as the basis for official actions required by the NFIP (<https://www.fema.gov/flood-maps/products-tools/products>). These can be found via the FEMA Map Service Center (<https://msc.fema.gov/portal/home>).

## 4.2. Element B: Risk Assessment

**Overall Intent.** The Risk Assessment identifies the hazards that can affect jurisdictions participating in the mitigation plan. It analyzes each of these hazards with respect to: where each hazard might affect the planning area (location); its potential magnitude (extent); how often events have happened in the past (previous occurrences); how likely they are to occur in the future (future probability); what parts of the community are most likely to be affected (vulnerability); and the potential consequences (impacts).

There is no prescribed method for how to present this information, and the location, extent, previous occurrences and future probability can be described or presented in a way that satisfies all requirements together. For example, for some hazards, one map with explanatory text could provide information on location, extent and future probability.

Risk Assessments provide the factual basis for activities proposed in the strategy to reduce losses from identified hazards. Therefore, it is very important to use current and accurate information, even if the most sophisticated technology is not available for conducting the analysis of that information. This analysis provides the basis for the actions in the Mitigation Strategy, so local risk assessments must provide sufficient information to enable the jurisdiction to identify and prioritize appropriate mitigation actions to reduce losses from identified hazards. Risk Assessments need to clarify the connection between the vulnerabilities identified for participating jurisdictions and the actions they will take to reduce losses to people and property.

**Risk**, for the purpose of hazard mitigation planning, is the potential for damage or loss created by the interaction of natural hazards with assets, such as buildings, infrastructure, or natural and cultural resources.

Risk Assessments are not a static part of the plan. Conditions such as population, demographics and land use change over time, and the Risk Assessment must consider how these changes will alter the jurisdiction's vulnerabilities to future hazard events. The mitigation planning regulation (44 CFR § 201.6(c)(2)(i)) and (d)(3)) require a consideration of the probability of future hazard events, and requires plan updates to reflect changes in development.

Every community may experience impacts from future hazard events differently, depending on its geographic location and its own land use and development patterns. Local mitigation planning is an opportunity to carefully understand the best available information about future risks, and translate it into meaningful actions in the present to reduce those risks.

## Element B: Risk Assessment Requirements

**B1. Does the plan include a description of the type, location and extent of all natural hazards that can affect the jurisdiction? Does the plan also include information on previous occurrences of hazard events and on the probability of future hazard events? (Requirement 44 CFR § 201.6(c)(2)(i))**

**B1-a.** The plan must include a description of all natural hazards that can affect the jurisdiction(s) in the planning area and their assets, such as dams, located outside of the planning area. This requirement may be met with either a narrative description or definition.

The plan must provide the rationale if omitting any natural hazards that are commonly recognized to affect the participant(s) in the planning area. There is no prescribed method for explaining the omission, but the plan must demonstrate the lack of risk to the participant(s) that omits the hazard.

**Natural hazards** are a source of harm or difficulty created by a meteorological, environmental or geological event. Natural hazards, such as flooding and earthquakes, impact the built environment, including dams and levees.

*Identifying hazards includes identifying all the types of hazards that can occur, e.g., the different types of flood hazards (flash, riverine, storm surge, debris flows, ice jams, dam/levee failure, etc.).*

**B1-b.** The plan must include information on location for each identified hazard.

**Location** is defined as the unique geographic boundaries within the planning area, or assets outside of geographic boundaries that may be affected by the identified hazard. Maps are an efficient way to illustrate location. However, location may be described through plan narratives or other formats.

*If maps are used, provide sufficient detail and scale to clearly identify the hazard locations within and/or affecting assets owned by the participating jurisdiction(s). If narrative descriptions are used, they must contain enough detail to clearly identify the area(s) (and assets, as applicable) that will be affected by the hazard.*

**B1-c.** The plan must provide the extent of the hazards that can affect the planning area. When describing extent using charts or scales (e.g., Saffir-Simpson scale for hurricane wind speed; Enhanced Fujita scale for tornado), the plan must document how the scale applies to each jurisdiction.

**Extent** is defined as the range of anticipated intensities of the identified hazards. The information must relate to each of the plan participants or the planning area, depending on the hazard. Extent is most commonly expressed using various scientific scales.

**B1-d.** The plan must include information on previous hazard events for each hazard that affects the planning area. At a minimum, this includes any state and federal major disaster declarations for the planning area since the last update.

*Previous occurrences can be included in a variety of ways, but should include an emphasis on significant events, as determined by the community. If no events have occurred for a hazard, this must be stated.*

## Element B: Risk Assessment Requirements

**B1-e.** The plan must include the probability of future events for the identified hazards that can affect the planning area. Probability may be met in a variety of ways; however, general descriptors must be quantitatively defined.

Probability must include the type, location and range of anticipated intensities of identified hazards.

**Probability of future hazard events** means the likelihood of the hazard occurring or reoccurring. It may be defined in historical frequencies, statistical probabilities, hazard probability maps and/or general descriptors (e.g., unlikely, likely, highly likely). If general descriptors are used, they must be quantified or defined in the plan. For example, “highly likely” could be defined as “100% chance of occurrence next year” or “one event every year.”

**B1-f.** For multi-jurisdictional plans, when hazard risks differ across the planning area and between participating jurisdictions, the plan must specify the unique and varied risk information for each applicable jurisdiction and their assets outside the planning area.

**B2. Does the plan include a summary of the jurisdiction's vulnerability and the impacts on the community from the identified hazards? Does this summary also address NFIP insured structures that have been repetitively damaged by floods? (Requirement 44 CFR § 201.6(c)(2)(ii))**

**B2-a.** The plan must describe the vulnerability of each participant to the identified hazards. The description must include current and future assets (including people) and the risk that makes them susceptible to damage from the identified hazards.

For plan updates, the risk assessment must meet element E1-a.

The risk assessment must describe the vulnerability of plan participant(s) to each identified hazard. The vulnerability description must include a summary (such as a problem statement) of the hazard and its consequences or effects on the participant(s) and their assets. A list of assets without context is not sufficient.

**Vulnerability** is a description of which assets, including structures, systems, populations and other assets as defined by the community, within locations identified to be hazard prone, are at risk from the effects of the identified hazard(s).

**Assets** are determined by the community and include, but are not limited to:

- People.
- Structures (including facilities, lifelines and critical infrastructure).
- Systems (including networks and capabilities).
- Natural, historic, and cultural resources.
- Activities that have value to the community.

*To form the vulnerability description, plan participant(s) may identify which specific assets are most important and most susceptible to damage or loss from hazards. (For example, this may be expressed as replacement cost).*



## Element B: Risk Assessment Requirements

**B2-b.** The plan must describe the potential impacts on each participating jurisdiction and its identified assets.

**Impacts** are the consequences or effects of each hazard on the participant's assets identified in the vulnerability assessment. For example, impacts could be described by referencing historical disaster damages with an estimate of potential future losses (such as percentage of damage vs. total exposure).

*Gaps and limitations may be addressed as actions in the mitigation strategy, in particular for items that require additional assistance.*

**B2-c.** The plan must address repetitively flooded NFIP-insured structures by including the estimated numbers and types (residential, commercial, institutional, etc.) of repetitive/severe repetitive loss properties.

*Participants should consider addressing all properties at high risk of flooding that may not be NFIP repetitive loss properties. For example, properties in the Special Flood Hazard Area (SFHA) with their lowest floor below the established Base Flood Elevation are at risk of flood damage from the base flood and potentially from more frequent flood events.*

**Repetitive loss structure** means a structure covered under an NFIP flood insurance policy that (1) has incurred flood-related damage on two occasions, in which the cost of repair, on average, equaled or exceeded 25% of the value of the structure at the time of each such flood event; and (2) at the time of the second incidence of flood-related damage, the contract for flood insurance contains increased cost of compliance coverage. ([44 CFR § 77.2\(i\)](#))

**Severe repetitive loss structure** means a structure that is covered under an NFIP flood insurance policy and has incurred flood-related damage (1) for which four or more separate claims have been made under flood insurance coverage, with the amount of each claim (including building and contents payments) exceeding \$5,000 and with the cumulative amount of such claims payments exceeding \$20,000; or (2) for which at least two separate flood insurance claims payments (building payments only) have been made, with cumulative amount of such claims exceeding the value of the insured structure. ([44 CFR § 77.2\(j\)](#))

*Use of flood insurance claim and disaster assistance information is subject to The Privacy Act of 1974, as amended, which prohibits public release of the names of policyholders or recipients of financial assistance and the amount of the claim payment or assistance. However, maps showing general areas where claims have been paid can be made public. **If a plan includes the names of policyholders or recipients of financial assistance, or the amount of the claim payment or assistance, the plan cannot be approved until the information covered by the Privacy Act is removed from the plan or is properly protected per the Privacy Act.***

## 4.3. Element C: Mitigation Strategy

**Overall Intent.** The mitigation strategy serves as the long-term blueprint for reducing the potential losses identified in the risk assessment. The Stafford Act directs local mitigation plans to describe hazard mitigation actions and establish a strategy to implement those actions. Therefore, all other requirements for a local mitigation plan lead to and support the mitigation strategy as a means to reduce risk and vulnerabilities over the long term.

The mitigation strategy includes the development of goals and prioritized hazard mitigation actions. Goals are long-term policy statements and global visions that support the mitigation strategy. A critical step in the development of specific hazard mitigation actions and projects is assessing existing authorities, policies, programs, and resources and capabilities to use or modify local tools to reduce losses and vulnerability from profiled hazards.

In the plan update, goals and actions are either reaffirmed or updated based on current conditions, including the completion of hazard mitigation initiatives, an updated or new risk assessment, or changes in state or local priorities.

### Element C: Mitigation Strategy Requirements

**C1. Does the plan document each jurisdiction's existing authorities, policies, programs and resources and its ability to expand on and improve these existing policies and programs? (Requirement 44 CFR § 201.6(c)(3))**

**C1-a.** The plan must describe how the existing authorities, policies, programs, funding and resources of each participant are available to support the mitigation strategy. This must include a discussion of the existing building codes and land use and development ordinances or regulations. Capabilities may be described in a table or narrative.

**Discussion** means a narrative or other materials that provide context on a section of the plan.

*Describing the current capabilities provides a rationale for which mitigation projects can be undertaken to address the vulnerabilities identified in the Risk Assessment.*

**C1-b.** The plan must describe the ability of each participant to expand on and improve the capabilities described in the plan.

If the participants do not have the ability or authority to expand and/or improve their capabilities, the plan must describe this lack of ability or authority.

*Gaps and limitations for each participant may be addressed as actions in the mitigation strategy.*

## Element C: Mitigation Strategy Requirements

### **C2. Does the plan address each jurisdiction's participation in the NFIP and continued compliance with NFIP requirements, as appropriate? (Requirement 44 CFR § 201.6(c)(3)(ii))**

**C2-a.** The plan must describe participation in the NFIP for each participant, as applicable, in accordance with NFIP regulatory requirements. The following information must be provided for each participant.<sup>7</sup>

1. Adoption of NFIP minimum floodplain management criteria via local regulation.
2. Adoption of the latest effective Flood Insurance Rate Map (FIRM), if applicable.
3. Implementation and enforcement of local floodplain management regulations to regulate and permit development in SFHAs.
4. Appointment of a designee or agency to implement the addressed commitments and requirements of the NFIP.
5. Description of how participants implement the substantial improvement/substantial damage provisions of their floodplain management regulations after an event.

Simply stating, "The community will continue to comply with the NFIP" is not sufficient to meet the requirement.

Jurisdictions not currently participating in the NFIP, where a Flood Hazard Boundary Map or FIRM has been issued, may meet this requirement by describing why the community does not participate in the NFIP.

*For jurisdictions that voluntarily participate in the CRS, it is highly recommended that this description also include related activities and address any issues raised during community assistance and monitoring activities.*

### **C3. Does the plan include goals to reduce/avoid long-term vulnerabilities to the identified hazards? (Requirement 44 CFR § 201.6(c)(3)(i))**

**C3-a.** The plan must include goals to reduce the risk of the identified hazards. The goals must be consistent with the hazards identified in the plan. Goals may be presented as general statements applying to more than one hazard, or they may be itemized to each of the identified hazards.

**Goals** are broad, long-term policy and vision statements that explain what is to be achieved by implementing the mitigation strategy.

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<sup>7</sup> For jurisdictions that voluntarily participate in the NFIP, note that floodplain management criteria for flood-prone areas is described in 44 CFR § 60.3.

## Element C: Mitigation Strategy Requirements

**C4. Does the plan identify and analyze a comprehensive range of specific mitigation actions and projects for each jurisdiction being considered to reduce the effects of hazards, with emphasis on new and existing buildings and infrastructure? (Requirement 44 CFR § 201.6(c)(3)(ii))**

**C4-a.** The mitigation strategy must include an analysis of a comprehensive range of actions or projects that the participants considered to specifically address vulnerabilities identified in the risk assessment.

Actions considered must emphasize reducing risk to existing buildings, structures and infrastructure, as well as limiting risk to new development and redevelopment.

*It is important for all actions considered to be documented, be as specific as possible, and be clearly linked to the vulnerabilities and impacts identified in the risk assessment. This includes actions for alleviating data deficiencies or building up capabilities related to mitigation implementation. Documenting all ideas provides a record of what actions were considered, and why. Additionally, this creates a list of actions that can be reconsidered as conditions change.*

**Analyzing a comprehensive range** means considering mitigation alternatives spanning all types of solutions. These may include local plans and regulations, structure and infrastructure projects, natural systems protection, and education and awareness programs. This analysis helps a jurisdiction select actions based on its own capabilities, as well as the social, technical and economic feasibility of the action.

A **mitigation action** is a measure, project, plan or activity proposed to reduce current and future vulnerabilities described in the risk assessment.

**C4-b.** Each plan participant must identify one or more mitigation actions the participant(s) intends to implement for each hazard addressed in the risk assessment.

The actions must be achievable and demonstrate how the mitigation activities reduce the risks identified in the risk assessment.

*The actions may apply to physical infrastructure, as well as the populations within the planning area. Actions may apply to one or more participants, as long as each participant is clearly associated with one or more actions.*

*Non-mitigation actions can be included in a plan but will not be considered as part of the mitigation action requirement. These include actions that do not contribute to a long-term solution for the problem they are intended to address.*

*Plan updates may validate and include previously included actions if those actions are being reconsidered for implementation to reduce the risks of identified hazards in the plan's current risk assessment.*

### Element C: Mitigation Strategy Requirements

**C5. Does the plan contain an action plan that describes how the actions identified will be prioritized (including cost benefit review), implemented and administered by each jurisdiction? (Requirement 44 CFR § 201.6(c)(3)(iii)); (Requirement 44 CFR § 201.6(c)(3)(iv))**

**C5-a.** The plan must describe the criteria used for prioritizing the implementation of the actions. The criteria must include an emphasis on the extent to which benefits are maximized, in relation to the associated costs of the action.

*Although a full benefit-cost analysis is not necessary, the plan must demonstrate that proposed mitigation actions will be prioritized by weighing the cost of the action versus the benefits the action will produce, in addition to other prioritization factors. Another example of a prioritization method may be that jurisdictions establish a minimum threshold for the dollar amount, types or number of benefits an action must have to be considered for implementation. Or they could simply prioritize actions with more benefits than other alternatives.*

*Other methodologies are acceptable if the plan demonstrates that the action's monetary and non-monetary benefits were specifically emphasized and considered in the community's decision-making process. Qualitative benefits (quality of life, natural and beneficial values, etc.) may be used, especially in considering mitigation actions that alleviate long-term risks.*

**C5-b.** The action plan must identify who is responsible for administering each action, along with the action's potential funding sources and expected time frames for completion.

The plan must provide the position, office, department or agency responsible for implementing/administrating the identified mitigation actions. Names are not required, but the plan must provide enough detail for users to determine who within the jurisdiction will implement or administer the mitigation action.

*The plan must identify applicable potential funding sources, with details beyond generic terms such as "federal," "state" and/or "local." The identified funding sources must be relevant to implementing the associated actions.*

*The plan must identify expected time frames for completion. General terms like "short-term," "medium-term" and "long-term" must be defined. "Ongoing" is acceptable when used appropriately (e.g., for multi-phased projects).*

## 4.4. Element D: Plan Maintenance

**Overall Intent.** The mitigation plan is a living document that guides actions over time. Continually documenting the process makes the next plan update easier. The plan is a blueprint for reducing risk and protecting community investments. Having a process for maintaining the plan reflects the recognition that things change. Not only is there a need to track progress on implementing the mitigation strategy, but new information may become available, and disasters may happen. The plan needs to be revisited at regular intervals to keep it relevant, and the planning team needs to decide how that will be done. At a minimum, this must be done every five years, but it should also be done after major disaster events or if new conditions significantly change risk.

Plan maintenance means keeping the plan accurate, current, and relevant over the five-year approval period. It includes monitoring, evaluating and updating the plan – and generally keeping the planning process active. Plan maintenance is critical to ensure participants use the plan to continually reduce hazard risk.

#### Element D: Plan Maintenance Requirements

##### **D1. Is there discussion of how each community will continue public participation in the plan maintenance process? (Requirement 44 CFR § 201.6(c)(4)(iii))**

**D1-a.** The plan must describe how the participant(s) will continue to seek public participation after the plan has been approved and during the plan's implementation, monitoring, and evaluation.

*The plan may contain a narrative description or an itemized list of steps, demonstrating the prescribed method that will be followed to obtain future public participation.*

*Special consideration should be given to identifying and using unique and meaningful ways to keep the public engaged in the process.*

*Examples include, but are not limited to: periodic presentations on the plan's progress to elected officials, schools or other community groups; annual questionnaires or surveys; public meetings; postings on social media; and interactive websites.*

##### **D2. Is there a description of the method and schedule for keeping the plan current (monitoring, evaluating and updating the mitigation plan within a five-year cycle)? (Requirement 44 CFR § 201.6(c)(4)(i))**

**D2-a.** The plan must identify how, when and by whom the plan will be tracked for implementation over its five-year cycle (monitoring).

*Monitoring may be described by including a narrative description or an itemized list of steps demonstrating the prescribed method that will be followed to monitor the plan after plan approval and during the plan's implementation.*

**Monitoring** means tracking the implementation of the plan over time. For example, monitoring may include a system for tracking the status of the identified hazard mitigation actions.

**D2-b.** The plan must identify how, when and by whom the plan will be assessed for effectiveness at achieving its stated purpose and goals (evaluating).

*The evaluation method may be described by including a narrative description or an itemized list of steps demonstrating the prescribed method that will be followed to evaluate the plan after plan approval and during the plan's implementation, and prior to the plan's update.*

**Evaluating** means assessing the effectiveness of the plan at achieving its stated purpose and goals.

**D2-c.** The plan must identify how, when and by whom the plan will be reviewed and revised at least once every five years (updating).

*The update method may be described by including a narrative description or an itemized list of steps that will be followed to update the plan prior to resubmission for approval and during the plan's implementation.*

**Updating** means reviewing and revising the plan at least once every five years.

#### Element D: Plan Maintenance Requirements

**D3. Does the plan describe a process by which each community will integrate the requirements of the mitigation plan into other planning mechanisms, such as comprehensive or capital improvement plans, when appropriate? (Requirement 44 CFR § 201.6(c)(4)(ii))**

**D3-a.** The plan must describe the community's process to integrate the plan's data, information, and hazard mitigation goals and actions into other planning mechanisms.

**Integrate** means to include hazard mitigation principles, vulnerability information and mitigation actions into other existing community planning to leverage activities that have co-benefits, reduce risk and increase resilience.

**Planning mechanisms** refers to the governance structures used to manage local land use development and community decision-making, such as budgets, comprehensive plans, capital improvement plans, economic development strategies, or other long-range plans.

**D3-b.** The plan must identify the local planning mechanisms where hazard mitigation information/actions may be integrated. The identified list of planning mechanisms must be applicable to the plan participant(s) and not contradict the identified capabilities.

**D3-c.** A multi-jurisdictional plan must describe each participant's individual process for integrating information from the mitigation strategy into their identified planning mechanisms.

*This element may be met with a general narrative description if the process is applicable to each of the plan participants; however, any participant who cannot apply the same process as other plan participants must include their unique process for integration.*

## 4.5. Element E: Plan Update

**Overall Intent.** To continue to effectively represent the jurisdiction's overall strategy for reducing its risks from natural hazards, the mitigation plan must reflect how current conditions have changed since the last plan. This will require an assessment of the current development patterns and development pressures, as well as an evaluation of any new hazard or risk information. The plan update is an opportunity for the jurisdiction to assess its previous goals and action plan, evaluate progress in implementing hazard mitigation actions, and adjust its actions to address the current realities.

If growth conditions and community priorities have changed very little (such as through new leadership, new funding sources or recent hazard conditions), much of the text in the updated plan may be unchanged. This is acceptable as long as the plan still fits the priorities of the community and reflects the current conditions. Plan readers can recognize a good plan update by its documentation of the community's progress or changes in their hazard mitigation program, along with the community's continued engagement in the mitigation planning process.

Where jurisdictions have experienced changes in development (planned, increase or decline), the plan update must discuss how development changes have altered vulnerability. If no development changes have occurred since the last version of the plan, this must be stated.



Where hazard risk has not changed significantly, a jurisdiction may use the update process to review and verify existing risk information. The updated risk assessment must document which information has been reviewed and remains accurate.

### Element E: Plan Update Requirements

#### E1. Was the plan revised to reflect changes in development? (Requirement 44 CFR § 201.6(d)(3))

**E1-a.** The plan must describe changes in development that have occurred in hazard-prone areas and how they have increased or decreased the vulnerability of each jurisdiction since the previous plan was approved. If no development changes affected the jurisdiction's overall vulnerability, this must be stated with the plan.

**Changes in development** means recent development (for example, construction completed since the last plan was approved, or development planned or under consideration by the jurisdiction), or conditions that may affect the risks and vulnerabilities of the jurisdictions (for example, declining populations or projected increases in population, or foreclosures). This can also include changes in local policies, standards, codes, regulations, land use regulations and other conditions.

#### E2. Was the plan revised to reflect changes in priorities and progress in local mitigation efforts? (Requirement 44 CFR § 201.6(d)(3))

**E2-a.** The plan must describe how it was revised due to a change in priorities for each jurisdiction. This can be done as a narrative or with detailed statements in the appropriate sections of the plan. The priorities to be considered are defined by the participant(s). If the participant(s) has no change in priorities since the last approval of the mitigation plan, this must be stated.

**E2-b.** The plan must describe the status of all hazard mitigation actions in the previous plan by identifying whether they have been completed or not, for each jurisdiction. For actions that are not complete, the plan must state whether the action is no longer relevant or will be included in the updated action plan.

**E2-c.** The updated plan must explain how the jurisdiction(s) integrated information from the mitigation plan into other planning mechanisms, as a demonstration of progress in local hazard mitigation efforts. If information from the previous plan was not integrated into other planning mechanisms, this must be stated.

## 4.6. Element F: Plan Adoption

**Overall Intent.** Adoption by the local governing body or bodies demonstrates the jurisdiction's commitment to the hazard mitigation goals and actions outlined in the plan. Adoption legitimizes the plan and authorizes responsible agencies to perform their responsibilities. Updated plans are adopted anew to demonstrate the community's recognition of the current planning process, acknowledge changes from the previous five years, and validate the priorities for hazard mitigation actions. Without adoption, the jurisdiction has not completed the mitigation planning process and will not be eligible for certain FEMA assistance, such as HMA or HHPD grant program funding for mitigation actions.



## Element F: Plan Adoption Requirements

### **F1. For single-jurisdictional plans, has the governing body of the jurisdiction formally adopted the plan to be eligible for certain FEMA assistance? (Requirement 44 CFR § 201.6(c)(5))**

**F1-a.** The jurisdiction must provide documentation of plan adoption, usually a resolution by the governing body or other authority, to receive approval.

Documentation may be provided in the form of meeting minutes, resolutions, signed letter or any other method to demonstrate that official adoption by the participant has occurred.

*See Section 6, Plan Review and Approval, for more information on the process to adopt the plan after review by the state and FEMA.*

### **F2. For multi-jurisdictional plans, has the governing body of each jurisdiction officially adopted the plan to be eligible for certain FEMA assistance? (Requirement 44 CFR § 201.6(c)(5))**

**F2-a.** To receive approval, the participants must adopt the plan and provide documentation that the adoption has occurred.

Participants that submit their adoption documentation separately from the other multi-jurisdictional plan participants will not receive a new expiration date.

Participating jurisdictions that adopt the plan more than one year after Approvable Pending Adoption (APA) status has been issued must either:

- Validate that their information in the plan remains current with respect to both the risk assessment (no recent hazard events, no changes in development) and their mitigation strategy (no changes necessary); or
- Make the necessary updates before submitting the adoption resolution to FEMA.

## 4.7. Element G: High Hazard Potential Dams (Required for HHPD Grant Program Eligibility)

**Overall Intent.** Critical infrastructure like dams and levees provide recreation, water supply, floodplain management, energy and other important functions. Dam owners and operators can be private, non-profit or public. They are important participants/stakeholders in local mitigation planning processes.

The National Dam Safety Program Act (Pub. L. 92–367), as amended, 33 U.S.C. § 467f-2, authorizes FEMA to provide High Hazard Potential Dams (HHPD) Rehabilitation Grant Program assistance for the rehabilitation of dams that fail to meet minimum dam safety standards and pose unacceptable risk to life and property. To be eligible for HHPD grants, local governments with jurisdiction over the area of an eligible dam must have an approved local hazard mitigation plan that includes all dam

risks and complies with the Robert T. Stafford Act, as amended.<sup>8</sup> Non-profit organizations seeking funding must ensure that the dam is within a local jurisdiction with an approved hazard mitigation plan that includes all dam risks.

FEMA developed the criteria in this section in consultation with the National Dam Safety Review Board in 2021. For more information, see [FEMA Policy 104-008-7, Rehabilitation of High Hazard Potential Dams Grant Program Guidance](#) and subsequent HHPD Notices of Funding Opportunities and policies.

At a minimum, local mitigation plans must address the subset of state-regulated dams considered HHPDs.<sup>9</sup> The [Federal Guidelines for Dam Safety; Hazard Potential Classification System for Dams](#)<sup>10</sup> states that dams assigned the high hazard potential classification are those where failure or mis-operation will probably cause loss of human life. It should be noted that states may use other terminology to classify dams. FEMA understands that the list of HHPDs may change from year to year. The local plan does not need to be updated every time the list of HHPDs changes. The plan approval period remains five years.

For each HHPD included in the hazard mitigation plan, the local community mitigation planning lead is encouraged to coordinate with the dam owner and the state dam safety office to determine any issues/risks associated with that dam. This information must be included in the local hazard mitigation plan. A FEMA mitigation planning risk assessment must follow the requirements set forth at 44 CFR Part 201; it does not involve the level of detailed technical engineering analysis required by the U.S. Army Corps of Engineers, U.S. Bureau of Reclamation, etc. For the mitigation plan, all dam risk can be presented as a summary description. Detailed analyses are not required.

Hazard mitigation goals are broad, long-term policy and vision statements. Goals do not need to mention specific actions, specific dams, or use the term “high hazard potential dam.” Projects submitted for consideration for HHPD funding must be consistent with the goals and actions identified in the current, approved hazard mitigation plan.

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<sup>8</sup> The mitigation planning requirements of the Rehabilitation of High Hazard Potential Dams grants were developed in 2021 through consultation with the National Dam Safety Review Board, in accordance with the National Dam Safety Act, as amended in December 2020.

<sup>9</sup> Dams eligible for the HHPD classification have additional requirements, and therefore may not include all HHPDs within the local jurisdiction. This subset of dams is defined at 33 U.S. Code (U.S.C.) § 467(4)(A) and 33 U.S.C. § 467f-2(4).

<sup>10</sup> FEMA/ICODS, 2004

## Element G: High Hazard Potential Dams

### HHPD1: Did the plan describe the incorporation of existing plans, studies, reports and technical information for HHPDs?

To meet this requirement with a specific focus on HHPDs, the mitigation plan must include descriptions of:

**HHPD1-a:** How the local government coordinated with local dam owners and/or the state dam safety agency.

NOTE: Ensure sensitive and/or personally identifiable information is protected.

**HHPD1-b:** Information shared by the state and/or local dam owners. Examples may include:

- Location and size of the population at risk, as well as potential impacts to institutions and critical infrastructure/facilities/lifelines.
- Inundation maps, emergency action plans, floodplain management plans and/or data or summaries provided by dam breach modeling software, such as HEC-RAS, DSS-WISE HCOM, DSS-WISE Lite, FLO-2D, as well as more detailed studies.

### HHPD2: Did the plan address HHPDs in the risk assessment?

To meet this requirement with a specific focus on HHPDs, the mitigation plan must:

**HHPD2-a:** Describe the risks and vulnerabilities to and from HHPDs, including:

- Potential cascading impacts of storms, seismic events, landslides, wildfires, etc. on dams that might affect upstream and downstream flooding potential.
- Potential significant economic, environmental or social impacts, as well as multi-jurisdictional impacts, from a dam incident.
- Location and size of populations at risk from HHPDs, as well as potential impacts to institutions and critical infrastructure/facilities/lifelines.
- Methodology and/or assumptions for risk data and inundation modeling.

**HHPD2-b:** Document the limitations and describe the approach for addressing deficiencies.

### HHPD3: Did the plan include mitigation goals to reduce long-term vulnerabilities from HHPDs?

To meet this requirement with a specific focus on HHPDs, the mitigation plan must:

**HHPD3-a:** Address a reduction in vulnerabilities to and from HHPDs as part of its own goals or with other long-term strategies. The plan does not need to include a goal specific to HHPDs alone.

**HHPD3-b:** Link proposed actions to reducing long-term vulnerabilities consistent with the goals.

### Element G: High Hazard Potential Dams

#### **HHPD4: Did the plan include actions that address HHPDs, and prioritize mitigation actions to reduce vulnerabilities from HHPDs?**

To meet this requirement with a specific focus on HHPDs, the mitigation plan must:

**HHPD4-a:** Describe a range of specific actions, such as:

- Rehabilitating/removing dams.
- Adopting and enforcing land use ordinances in inundation zones.
- Elevating structures in inundation zones.
- Adding flood protection, such as berms, floodwalls or floodproofing, in inundation zones.

**HHPD4-b:** Describe the criteria used for prioritizing actions related to HHPDs.

**HHPD4-c:** Identify the position, office, department or agency responsible for implementing and administering the action related to mitigating hazards to or from HHPDs.

## 4.8. Element H: Additional State Requirements (Optional)

In some cases, states may have additional requirements for local plans. If so, the states can specify those requirements in Element H of the Local Plan Requirements. These state-specific elements may be required to be “met” before the plan is advanced for approval or achieves APA status. FEMA will not review Element H in a regulatory review and approval of a local hazard mitigation plan.