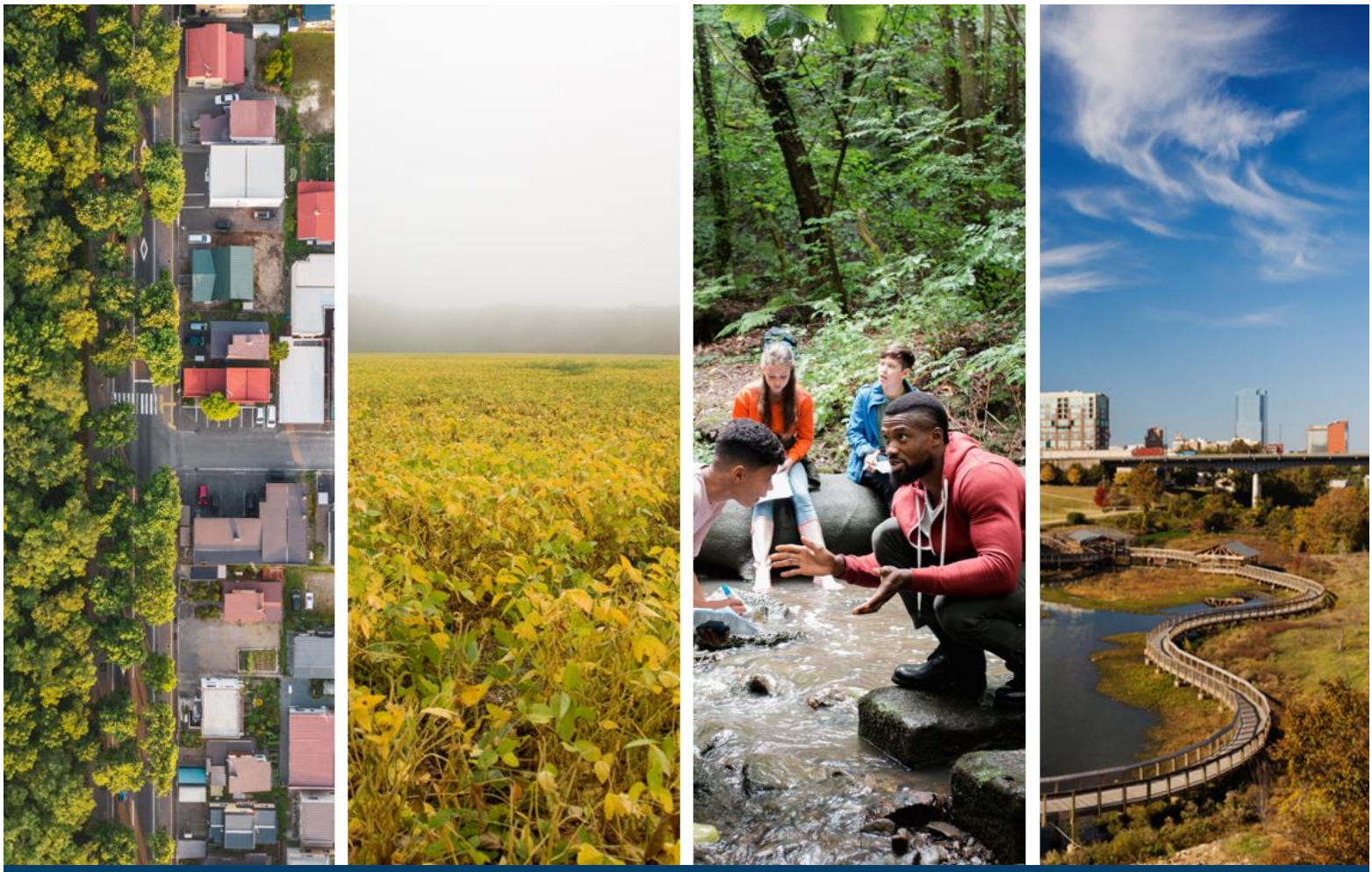

Local Mitigation Planning Policy Guide

FP 206-21-0002

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Foreword

On behalf of the Federal Emergency Management Agency (FEMA), I am pleased to present the Local Mitigation Planning Policy Guide. This guide is FEMA's official policy on and interpretation of the applicable statutes and mitigation planning regulations in 44 Code of Federal Regulations (CFR) Part 201. This policy applies to local governments that develop, update and implement local mitigation plans, as well as FEMA and state officials who review and approve those plans. This updated policy will become effective one year from the date of release.[1]

Mitigation planning is the foundation for guiding risk reduction investments. These investments build community resilience to future natural hazard events. The local mitigation planning process brings partners together to inform a risk reduction strategy that can be implemented using a wide range of public and private resources. Local mitigation plans demonstrate the commitment to mitigation across multiple sectors, such as infrastructure and economic development, to reduce natural hazard risk.

The local mitigation plan guides risk-informed decision-making at the local level. Local governments, including special districts, can use the mitigation plan to guide planning for climate adaptation, resilience, land use and economic development.

This policy:

- Provides guidance to local governments to enable local mitigation plans to meet the mitigation planning requirements.
- Supports integration across FEMA programs, such as the National Flood Insurance Program, Hazard Mitigation Assistance, Rehabilitation of High Hazard Potential Dams Program, and the FEMA Building Codes Strategy.
- Aligns with the National Mitigation Framework and the National Mitigation Investment Strategy, a guide for whole community mitigation investments.
- Supersedes the Local Mitigation Plan Review Guide and the Local Mitigation Plan Requirements in Section 5.8 Rehabilitation of High Hazard Potential Dams Grant Program Guidance (FP 104-008-7, June 2020).

[1] The High Hazard Potential Dams mitigation planning requirements to include all dam risks will become effective with the release of the Rehabilitation of High Hazard Potential Dams Grant Program Fiscal Year 2022 Notice of Funding Opportunity.

This policy will be reviewed, reissued, revised and/or rescinded within four years of the issue date. The Federal Insurance and Mitigation Administration (FIMA) will monitor and evaluate this policy based on stakeholder feedback and any regulatory or statutory updates.

Nimisha Agarwal
Deputy Associate Administrator (Acting)
Federal Insurance and Mitigation Administration

1. Introduction

1.1. Purpose of the Local Mitigation Planning Policy Guide

Local hazard mitigation plans form the foundation of a community's long-term strategy to reduce disaster losses and break the cycle of disaster damage, reconstruction and repetitive damage. The Federal Emergency Management Agency (FEMA) supports local mitigation planning to achieve the following:

- Foster partnerships among all levels of government.
- Develop and strengthen non-governmental and private partnerships.
- Promote more disaster-resilient and sustainable communities.
- Reduce the costs associated with disaster response and recovery by promoting mitigation activities.

Community resilience is the ability of a community to prepare for anticipated hazards, adapt to changing conditions, and withstand and recover rapidly from disruptions**.** Activities such as disaster preparedness (which includes prevention, protection, mitigation, response and recovery) and reducing community stressors (the underlying social, economic and environmental conditions that can weaken a community) are key steps to resilience.

The *Local Mitigation Planning Policy Guide* is FEMA's official policy on, and interpretation of, local hazard mitigation planning requirements. The guide facilitates consistent evaluation and approval of local mitigation plans and compliance with the mitigation planning requirements when updating plans. The primary users of this guide are the federal and state[2] officials who review and approve local mitigation plans, recognizing that state and local planners also use the guide to understand minimum mitigation planning requirements. Local mitigation planners are encouraged to use the guide and other related materials to better understand the regulatory and policy requirements as well as fully leverage the planning process to engage stakeholders and increase community resilience. For additional information and examples of the various ways to meet and exceed the regulatory requirements, planners are directed to FEMA's Mitigation Planning training and guidance, including the Local Mitigation Planning Handbook ("Handbook")[3].

[2] For mitigation planning, the term "state" includes any state of the United States, the District of Columbia, American Samoa, Commonwealth of Northern Mariana Islands, Guam, Puerto Rico, and the U.S. Virgin Islands [44 CFR § 201.2 Definitions].

[3] The current version of the Local Mitigation Planning Handbook is available at Create a Hazard Mitigation Plan | FEMA.gov

1.2. Planning is the Foundation for Mitigation Investments

Local mitigation plans are investment strategies that communities develop throughout the planning process to identify hazards, assess risks and vulnerabilities, and develop mitigation strategies that can be funded using a wide range of resources. As stated in 44 CFR § 201.1(b), "the purpose of mitigation planning is for state, local and Indian tribal governments to identify the natural hazards that impact them, to identify actions and activities to reduce any losses from those hazards, and to establish a coordinated process to implement the plan, taking advantage of a wide range of resources." This coordinated process allows mitigation investments to be based on a community-based, risk-informed decision-making process.[4] The local mitigation planning process helps the whole community understand the importance of mitigation and develop mitigation actions based on current and future risks and capabilities.

1.2.1. National Mitigation Investment Strategy

The National Mitigation Investment Strategy is a single national strategy for advancing mitigation investment to reduce risks posed by natural hazards and increasing the nation's resilience to natural hazards. The National Mitigation Investment Strategy's objective is to identify and measure the effectiveness of mitigation investments, and to inform decisions on when and where to make investments. The Investment Strategy encourages the whole community, including individuals, to invest in pre- and post-disaster mitigation by adopting three shared goals:

- **Goal 1: Show How Mitigation Investments Reduce Risk**
  The whole community will build a shared understanding of mitigation investment and its value. Specifically, the whole community will understand how effective mitigation investments can protect people, homes, neighborhoods, cultural and historic resources, ecosystems and lifelines (for example, communications, energy, transportation and water). The federal government and its non-federal partners will create a shared vocabulary and common measures to communicate information about risk and find opportunities to educate, hire, train and develop a base of qualified mitigation professionals.

- **Goal 2: Coordinate Mitigation Investments to Reduce Risk**
  The whole community will coordinate mitigation investments through shared risk information, reinforced strategies for risk reduction, and easier access to existing funding. Such coordination will help the whole community justify mitigation investments and choose the most cost-effective and reasonable actions.

- **Goal 3: Make Mitigation Investment Standard Practice**
  The whole community will factor mitigation into investment decisions, especially for buildings and infrastructure. The federal government and its non-federal partners will use and expand

[4] The mitigation planning process closely aligns with the principles laid out by the Comprehensive Preparedness Guide 101.

> *financial products and approaches for mitigation investment—including funding, incentives and financial risk transfer opportunities. The federal government and its non-federal partners also will make mitigation standard professional practice critical to safeguarding lifelines, services, and national safety and security*.

Local hazard mitigation plans are the opportunity for local governments to discuss, apply, and meet the three shared goals of the Investment Strategy. A plan based on an equitable and comprehensive engagement strategy, inclusive risk communication, and understanding whole-community needs and capabilities sets the foundation for guiding investment decisions to reduce risk using a wide range of public and private resources.

1.2.2. Hazard Mitigation Assistance

FEMA makes funding available for planning through the Hazard Mitigation Assistance (HMA) grant programs: the Hazard Mitigation Grant Program (HMGP); the Building Resilient Infrastructure and Communities (BRIC) Program; and the Flood Mitigation Assistance (FMA) Program.

Approved mitigation plans are a requirement for local governments, including special districts, to be eligible for the projects funded under the HMA and other FEMA programs, including the Rehabilitation of High Hazard Potential Dams (HHPD). Additionally, Public Assistance funding is available to implement mitigation measures for damaged eligible facilities to protect against future damages, so long as the recipient has an approved state mitigation plan. Mitigation plans must be reviewed and updated every five years and formally adopted by each participating jurisdiction's governing body as part of receiving approval. See Section 1.4 for additional guidance and authorities for FEMA assistance programs that provide planning grants or require mitigation plans as a condition of eligibility.

1.3. Planning for Climate Change and Equitable Outcomes

Local jurisdictions have a responsibility to ensure that the plan's mitigation strategy complies with all applicable legal requirements related to civil rights, to ensure nondiscrimination. Such compliance can help achieve equitable outcomes through the mitigation planning process for all communities, including underserved communities[5] and socially vulnerable populations.

[5] Executive Order 13985 On Advancing Racial Equity and Support for Underserved Communities Through the Federal Government defines "underserved communities" as "populations sharing a particular characteristic, as well as geographic communities, that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life…"

FEMA defines equity as the consistent and systematic fair, just and impartial treatment of all individuals. To ensure that the planning process and outcomes of the local mitigation plan benefit the whole community, equity must be central in its development. Inclusive planning processes take time and thoughtful planning to be set up in a way that provides everyone with the resources necessary to meaningfully participate, make progress and benefit from hazard mitigation. Equity is not just an important principle; it is essential to reducing risk to the whole community,[6] particularly for those who face barriers to accessing assistance and for populations that are disproportionately affected by disasters. The whole community includes individuals and communities, the private and nonprofit sectors, faith-based organizations and all levels of government (regional/metropolitan, state, local, tribal, territorial, insular area and federal). The mitigation plan is an opportunity to counter some of those barriers and intentionally plan for reducing the risk of all communities.

Climate change increases the frequency, duration and intensity of natural hazards, such as wildfires, extreme heat, drought, storms, heavy precipitation and sea level rise.. Communities are feeling the impacts of a changing climate now.[7] Many of these trends will likely continue for decades.[8] These variations create new risks to state and local governments and challenge pre-existing mitigation plans. They also pose a unique threat to the nation's most at-risk populations by exacerbating the impacts of disasters on underserved and socially vulnerable populations who already experience the greatest losses from natural hazards.

Many states and communities have been planning for climate change through climate adaptation efforts. According to the National Climate Assessment, climate adaptation refers to “actions taken at the individual, local, regional, and national levels to reduce risks from even today’s changed climate conditions and to prepare for impacts from additional changes projected for the future.”[9] While climate adaptation efforts may be undertaken separately or in addition to the all-hazards mitigation planning process, hazard mitigation and climate adaptation are complementary efforts that have the same goal: long-term risk reduction for people and increased safety for communities. The key difference between hazard mitigation and climate adaptation is that hazard mitigation encompasses all natural hazards, including short-term, episodic events that may or may not be connected to climate change. Climate adaptation efforts and plans are focused on reducing the risk to and mitigating impacts from actual or expected causes of climate change. As natural disasters cross geographic boundaries and increase in frequency and intensity, the need to support intersecting

[6] National Preparedness Goal, Second Edition, 2015

[7] U.S. Global Change Research Program, Fourth National Climate Assessment, Volume II: Impacts, Risks, and Adaptation in the United States, 2018.

[8] Intergovernmental Panel on Climate Change, The Physical Science Basis. Contribution of Working Group 1 to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change, 2021.

[9] U.S. Global Change Research Program, Fourth National Climate Assessment, Chapter 28: Reducing Risks through Adaptation Actions, 2018.

plans is greater than ever. Adapting to the expected impacts of climate change is a form of hazard mitigation. A hazard mitigation plan that addresses climate change in its risk assessment and includes adaptation actions in its mitigation strategy may reduce risk to current and future events.

1.4. Authorities and References

This policy bases the requirements for approval on a number of authorities, including:

1.4.1. Authorities

Laws:

- Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), as amended.
- National Flood Insurance Act of 1968, as amended.
- National Dam Safety Program Act (Pub. L. 92-367), as amended.

Regulations:

- 44 CFR Part 201 Mitigation Planning.
- 44 CFR, Part 60, Subpart A, including § 60.3 Flood plain management criteria for flood-prone areas.
- 44 CFR Part 77 Flood Mitigation Grants[10].
- 44 CFR Part 206 Subpart N. Hazard Mitigation Grant Program.

1.4.2. References

Executive Orders (EOs):

- EO 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (February 1994).
- EO 13690, Establishing a Federal Flood Risk Management Standard and a Process for Further Soliciting and Considering Stakeholder Input (October 2015, revoked in 2017 and reinstated in May 2021 by Executive Order 14030 on Climate-Related Financial Risk).
- EO 13985, Advancing Racial Equity and Support for Underserved Communities Through the Federal Government (January 2021).
- EO 13990, Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis (January 2021).
- EO 14008, Tackling the Climate Crisis at Home and Abroad (January 2021).

Presidential Policy Directives (PPD):

- PPD 8 National Preparedness (March 2011).

[10] This is the CFR citation for the Flood Mitigation Assistance Program.

- PPD 21 Critical Infrastructure Security and Resilience (February 2013).

FEMA and U.S. Department of Homeland Security doctrine:

- National Mitigation Investment Strategy (August 2019).
- National Preparedness Goal (Second Edition, September 2015).
- National Mitigation Framework (June 2016).

FEMA Policies:

- "Restrictions on Grant Obligations to State, Tribal, and Local Governments without a FEMA-Approved Mitigation Plan" (FP 306-112-1, August 19, 2013).
- Hazard Mitigation Assistance Guidance (February 27, 2015).
- Hazard Mitigation Assistance Guidance, Program Administration by States Pilot, Hazard Mitigation Grant Program, October 2017.
- Rehabilitation of High Hazard Potential Dams Grant Program Guidance (FP 104-008-7, June 2020).
- Mitigation Assistance: Building Resilient Infrastructure and Communities (FP-104-008-05, February 14, 2022).

1.5. Organization of the Guide

This guide comprises six main sections that describe the purpose of the guide, local, state and FEMA responsibilities, and the requirements for local hazard mitigation plans.

- **Section 1: Introduction** – Describes the purpose and organization of this guide, overall approach for plan reviews, authorities and references, and how planning is the foundation for mitigation investments.

- **Section 2: Roles and Responsibilities** – Describes the roles and responsibilities of local jurisdictions, states and FEMA related to mitigation planning.

- **Section 3: Guiding Principles** – Explains how to approach plan development and updates while meeting the requirements for mitigation planning.

- **Section 4: Local Planning Requirements** – Provides detailed guidance on how FEMA interprets the regulations through the individual elements of local mitigation planning, i.e., requirements for planning process, risk assessment, mitigation strategy, plan maintenance, plan update and plan adoption.

- **Section 5: Completing the Plan Review Tool** – Provides instructions on how FEMA will complete the Local Mitigation Plan Review Tool (PRT), including the Plan Review Checklist and Plan Assessment.

- Section 6: Plan Review and Approval Procedure – Describes the plan review procedure from submittal through approval, including methods of communication among FEMA, states and local governments that develop and update local mitigation plans.
- Appendix A: Local Mitigation Plan Review Tool – For use by state and FEMA plan reviewers to determine if a plan meets the local mitigation planning requirements, to provide more comprehensive feedback to the participating jurisdiction(s) where the plan exceeds minimum local mitigation plan requirements, and to suggest improvements. Local staff may use the PRT as a checklist to ensure all requirements have been addressed.
- Appendix B: Sample Adoption Resolution – Provides a sample adoption resolution to assist jurisdictions, including special districts.
- Appendix C: APA and Approval Status Letters – Includes sample approval status letters that can be modified and sent to plan participants.
- Appendix D: Amendment and Joining Procedures – Includes amendment and annexation procedures for multi-jurisdictional plans.
- Appendix E: Acronyms and Definitions – Defines all acronyms and terms used throughout this guide.
- Appendix F: Code of Federal Regulations – Includes text of the relevant portions of the CFR related to local hazard mitigation plans.
- Appendix G: High Hazard Potential Dam Grant Program Mitigation Planning Requirements – Describes the requirements in the Rehabilitation of High Hazard Potential Dams Grant Program for mitigation planning.

2. Roles and Responsibilities

This section outlines the local, state and FEMA responsibilities regarding the update, review and approval of a local mitigation plan.

2.1. Local Responsibilities (44 CFR § 201.3(d))

Local governments, including special districts, seeking plan approval are responsible for participating in the planning process and meeting all requirements in Section 4 of this guide. This includes adopting the plan in accordance with local laws. Adoption demonstrates the local government's commitment to implement the mitigation strategy.

This guide uses the terms "jurisdiction," "community" and "participant" interchangeably. These terms refer to any local government developing or updating a local mitigation plan. 44 CFR § 201.2 defines "local government" as:

"any county, municipality, city, town, township, public authority, school district, special district, intrastate district, council of governments (regardless of whether the council of governments is incorporated as a nonprofit corporation under State law), regional or interstate government entity, or agency or instrumentality of a local government; any Indian tribe or authorized tribal organization,[11] or Alaska Native village or organization; and any rural community, unincorporated town or village, or other public entity."

According to 44 CFR § 201.6(a)(4), local governments may work together to create a multi-jurisdictional plan. For multi-jurisdictional plans, one community should be designated as the lead jurisdiction. This may be any of the participants, such as a county, a council of governments or a regional planning entity. When FEMA HMA planning grants are used, the lead jurisdiction is often the sub-recipient. The lead jurisdiction is responsible for ensuring each participating jurisdiction meets the requirements laid out in Section 4, prior to submitting the plan to the state, and then FEMA, for approval. The lead jurisdiction is also responsible for coordinating the plan submission and adoption by all participating jurisdictions.

Individual jurisdictions participating in a multi-jurisdictional plan must meet the mitigation planning requirements, adopt the plan and provide documentation to FEMA (via the state). Once the agency receives the jurisdiction's adoption, FEMA will issue an approval letter for the jurisdiction. Additional steps must be met for jurisdictions seeking approval after one year of the Approvable Pending Adoption (APA) date (see Section 4.6 Element F-2).

[11] Section 1.2 of the 2017 Tribal Mitigation Plan Review Guide details Tribal participation in multi-jurisdictional planning.

Requirements for Tribal mitigation plans (44 CFR § 201.7) vary from the requirements for local governments (44 CFR § 201.6), as tribes have the option to be recipients for certain FEMA non-emergency assistance. Tribal governments participating with local governments in multi-jurisdictional mitigation plans (per 44 CFR § 201.7(a)(4)), should refer to the requirements detailed in the Tribal Mitigation Plan Review Guide.

2.2. State Responsibilities (44 CFR § 201.3(c))

The state will provide technical assistance and training to local governments to assist them in applying for HMA planning grants and developing mitigation plans. The objective of this state training and technical assistance is to ensure local governments understand the requirements as early as possible, to create more inclusive and effective planning processes, and to decrease the time for plan approval by reducing the number of required revisions. In addition to other funding opportunities, states may make available the use of up to 7% of HMGP funding for state, tribal and/or local planning.[12]

The State Hazard Mitigation Officer (SHMO), or their designee, is responsible for completing initial reviews of all local mitigation plans. The SHMO or designee also review any plans from tribal governments (including tribes participating with local governments in multi-jurisdictional plans) that want the option of being a subrecipient to the state.

States have authority to review plans under 44 CFR § 201.6(d)(1):

Plans must be submitted to the State Hazard Mitigation Officer (SHMO) for initial review and coordination. The State will then send the plan to the appropriate FEMA Regional Office for formal review and approval. Where the State point of contact for the FMA program is different from the SHMO, the SHMO will be responsible for coordinating the local plan reviews between the FMA point of contact and FEMA.

States have the authority to seek revisions to local plans submitted to them for review. When forwarding plans to FEMA for final review and approval, states are acknowledging and confirming that the plan meets all of the plan requirements in 44 CFR Part 201 and the PRT. The state may have identified plan requirements in addition to those required by 44 CFR Part 201, which FEMA does not review. Those additional requirements may be added to Element G of the PRT, where applicable.

The state is responsible for reviewing and submitting approvable state, local and, as applicable, tribal mitigation plans to FEMA. If the state is consistently submitting plans that are not approvable, FEMA and the state will meet to determine a corrective action plan. FEMA recognizes that there may be temporary capacity challenges during an active disaster and will work with states experiencing

[12] See 44 CFR § 201.3(c)(4) and 206.434(d)(1)

those issues. States that opt to participate in the Program Administration by States (PAS) agreement with FEMA and receive the plan approval delegation authority have additional program-specific mitigation planning responsibilities. For more information on PAS requirements, refer to the Hazard Mitigation Assistance Guidance, Program Administration by States Pilot, HMGP, October 2017, or subsequent policies, as applicable. States reviewing plans for approval under a PAS agreement must meet all the statutory and regulatory requirements of a FEMA review and approval.

States are encouraged to communicate with local governments regarding local mitigation plan expiration dates, consequences of not having an approved local mitigation plan with respect to eligibility for certain FEMA assistance programs, and availability of mitigation planning technical assistance and training. Communication should be consistent, regular and well in advance of plan expiration dates, to prepare for quality application development and timely submissions to meet known assistance program application cycles and deadlines.

2.3. FEMA Responsibilities (44 CFR § 201.3(b))

The responsibilities of the FEMA Regional Administrator include providing technical assistance and training to state, local and tribal governments regarding the mitigation planning process. FEMA is responsible for the final approval of all local mitigation plans after state review (except where this authority is delegated to states under the PAS agreement). Once a state (that does not have a PAS agreement) has reviewed a local mitigation plan and submits the plan to FEMA, FEMA is responsible for the overall coordination of the plan's review, tracking and approval.

FEMA is responsible for communicating mitigation plan expiration dates, consequences of not having an approved mitigation plan with respect to eligibility for certain FEMA assistance programs, and availability of mitigation planning technical assistance and training.

3. Guiding Principles

This guide lays out the overall approach and, in later sections, more specific standards for planners to consider when preparing to develop or update a local mitigation plan, and for FEMA and state approvers to use to be consistent and fair in implementing the regulatory requirements.

The following guiding principles should be considered in advance of developing or updating a local mitigation plan:

- **Plan and Invest for the Future:** The plan is based on the experiences of the past and present and on projections for the future, including long-term climate change considerations and changes in development. The planning process sets the direction for years and decades into the future, using the best available information, tools and resources from partners and stakeholders to make a strong case for mitigation investments and implementing actions. Consider all possible types of mitigation actions (land use regulations, building codes, nature-based solutions, etc.) to address current and future risks.

- **Collaborate and Engage Early:** The planning process brings together diverse community-based partners representing the interests of the whole community. It includes those able to implement mitigation actions using a wide range of resources, and leaders from underserved communities and socially vulnerable populations. Meaningful representation from and conscious collaboration with underserved and vulnerable populations are critical for equitable outcomes. federal, state and local engagement is also critical for successful mitigation planning, as partners from all levels of government bring additional resources including, but not limited to, data, funding and technical expertise.

- **Integrate Community Planning:** Design the planning process to fit the unique needs of each community. Integrating hazard risk with the most appropriate planning scale and processes, such as land use, economic development, housing, infrastructure, resilience planning and/or natural resource planning, will minimize conflicting initiatives, such as development in hazard-prone areas. Prepare a single-jurisdiction plan or participate in a multi-jurisdictional one, based on local capabilities.

The plan development process and each five-year update are opportunities to advance the previous and ongoing mitigation efforts, integrate the plan with other community planning initiatives, improve engagement with community-based organizations that represent underserved communities, accurately reflect changes in risk and recalibrate the mitigation strategy and priorities.

3.1. Right-Sizing Plan Development and Update

The scope of the mitigation plan development and update needs to reflect the unique situation and most effective path (e.g., number of jurisdictions participating, size of the planning area, and the

stakeholder engagement process). The participants choose this scope. Many factors will guide decisions made by plan participants to meet their specific needs.

Every five years, the mitigation plan needs to be reviewed and updated, as circumstances may change (e.g., disasters, effects of climate change, increased areas of development within hazard-prone areas, or other impacts from changing population and demographics). All these affect the risk profile, and changes in staff and local leadership may also change the mitigation strategy and priorities.

44 CFR § 201.6(d)(3):

A local jurisdiction must review and revise its plan to reflect changes in development, progress in local mitigation efforts, and changes in priorities, and resubmit it for approval within 5 years in order to continue to be eligible for mitigation project grant funding.

Each local participant seeking approval for a mitigation plan must engage in the planning and public participation process (Element A) to review and revise the plan. Updated plans must specifically address the requirements for plan updates (Element E), along with each of the sub-elements, as detailed in Section 4. Communities must review all the other required elements for local mitigation plans for continued relevance, and revise them accordingly.

During the five-year planning cycle, jurisdictions may experience little or no change to hazard risk and vulnerability that would significantly alter the existing vulnerability analysis and the associated mitigation actions. Where hazard risk has not significantly changed, a jurisdiction may simply use the update process to review, fill in gaps and verify existing information. The updated plan must document that the information was reviewed and remains accurate.

The scope of a plan update needs to reflect the reasons for the update in addition to the five-year review cycle (e.g., major disaster events, significant changes in risk, a more robust outreach and engagement process to bring new partners and additional community-based partners to the process), and focus on changes since the last update. It does not need to involve a full rewrite. The plan updates need to be carefully scaled to reflect the magnitude of the update – that is, the update may be small if relatively little has changed, or it may be large if more engagement is needed to bring together partners and stakeholders due to changes in demographics, development, and disaster frequency and intensity.

3.2. Approach for Plan Review and Approval Process

The mitigation planning requirements are focused on outcomes. This provides flexibility in how the mitigation plan requirements are met and allows innovation for communities with unique conditions and circumstances, by specifying what must be done in the process and documented in the plan, but not specifying how to do it. FEMA recognizes the inherent differences among local governments. Some local governments, including special districts, have less capacity and capability to manage

hazard mitigation planning and mitigation actions, including applying for FEMA's HMA grants. However, each mitigation plan requirement ensures the planning process has a strong foundation and will result in effective outcomes to reduce risks from future natural hazards and changing conditions. This places each community in a better position to implement mitigation actions when opportunities arise, using a wide range of public and private resources.

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

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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. The National Mitigation Framework emphasizes the valuable role of collaboration among various sectors to ensure 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.
- Land use and development.
- Housing.
- Health and social 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, Water, Shelter.
- Health and Medical.
- Energy.
- Communications.
- Transportation.
- Hazardous Material.

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, that work directly with and/or provide support to underserved communities and socially vulnerable populations, among others:
   - 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. Different communities may necessitate more targeted outreach and engagement, especially underserved communities.

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 encourage 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, including how underserved communities and vulnerable populations within the planning area were provided an opportunity to be involved. 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 [13] 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, climate, etc.); and hazard-specific reports and plans (such as Community Wildfire Protection Plans).*

[13] **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 the climate, 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. Both of these are critical to the risk profile. Climate change is making many types of hazards more frequent and extreme. Every community may experience impacts differently, depending on its geographic location and its own land use and development patterns. While many places see more frequent and intense rainfall leading to more severe flooding, with rising sea levels contributing to more frequent and intense coastal flooding and storm surge, other places are suffering from more severe drought because of increased temperatures and decreased precipitation, creating conditions that favor wildfires. A higher annual number of extremely hot and cold days may cause communities to consider how to reduce their impact on vulnerable populations. Warmer temperatures provide more energy for thunderstorms and tornados. Warmer ocean waters fuel the energy of tropical weather, and coastal areas are seeing more destructive storms, including hurricanes and nor'easters. 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 effects of future conditions, including climate change (e.g., long-term weather patterns, average temperature and sea levels), on 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 (including underserved communities and socially vulnerable populations). ▪ 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 must include the effects of climate change, changes in population patterns (migration, density, or the makeup of socially vulnerable populations), and changes in land use and development. **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.[14] 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.

[14] 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. *The range of actions considered should include mitigation actions that benefit underserved communities and socially vulnerable populations.* *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 risk from future conditions, including climate change, and benefit underserved communities.*
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, climate action plans 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), potential development (for example, development planned or under consideration by the jurisdiction), or conditions that may affect the risks and vulnerabilities of the jurisdictions (for example, climate change, declining populations or projected increases in population, or foreclosures) or shifts in the needs of underserved communities or gaps in social equity. 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.[15] 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.[16] The Federal Guidelines for Dam Safety; Hazard Potential Classification System for Dams[17] 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.

[15] 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.

[16] 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).

[17] 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.

5. Completing the Plan Review Tool

The Plan Review Tool (PRT) (see Appendix A) documents where the information to meet the requirements in 44 CFR § 201.6 can be found in the local mitigation plan. The PRT offers states and FEMA Mitigation Planners an opportunity to provide feedback to the plan participant(s) on required revisions and recommendations for the next update cycle. The PRT also provides an opportunity for participants to conduct a self-assessment before submitting their plan for approval, to ensure they have successfully met all requirements. The PRT is divided into four sections.

1. Cover Page
2. Multi-Jurisdictional Summary Sheet
3. Plan Review Checklist
4. Plan Assessment

When reviewing plans for approval, FEMA will use this PRT, based on the requirements in 44 CFR § 201.6.

5.1. Cover Page

The **cover page** documents general information on the plan as well as plan submittal and review information. It includes the plan title, plan point of contact, date received and plan reviewers. Plan submissions must include a completed cover page with all information relevant to maintaining plan approval records. This information must correspond with the data in the program's database and system of record, the Mitigation Planning Portal.

5.2. Multi-Jurisdictional Summary Sheet

The **multi-jurisdictional summary sheet** is a worksheet used to document whether each jurisdiction met the requirements of each plan element (planning process; hazard identification and risk assessment; mitigation strategy; plan maintenance, plan updates and plan adoption). For multi-jurisdictional plans, a multi-jurisdictional summary sheet must be completed. It will list each participating jurisdiction and which required elements for each jurisdiction were met or not met. This table is not meant to serve as an individual plan review, but as a guide to demonstrate where additional information may be needed.

5.3. Plan Review Checklist and Plan Assessment

5.3.1. Plan Review Checklist

The **Plan Review Checklist** provides the evaluation criteria for the plan and documents whether the plan addressed all requirements. Once completed, the Plan Review Checklist will identify the location of relevant or applicable content that is included in the plan and required for plan approval. Each element of the plan is individually evaluated against the requirement to determine if the plan requirements, by element and/or sub-element, have been "met" or "not met." For each sub-element deemed to be "not met," "required revisions" must be identified. This clearly explains the revisions required for plan approval. In each required revision, where applicable, the sub-elements should be referenced using the appropriate numbers (A1-a, etc.). The requirements for each element and sub-element are described in detail in Section 4: Local Plan Requirements of this guide.

5.3.2. Plan Assessment

The purpose of the **Plan Assessment** is to offer the participant(s) more comprehensive feedback on the quality and utility of the plan, in a narrative format. The audience for the Plan Assessment includes not only the local agency responsible for developing or updating the plan, but also elected officials, local departments and agencies, and others involved in implementing the local mitigation plan. FEMA will complete the Plan Assessment. It gives the approvers the opportunity to provide feedback and information to the local government(s) on: 1) suggested improvements to the plan; 2) specific sections in the plan where the local government(s) has gone above and beyond the minimum requirements; 3) recommendations for plan implementation; and 4) ongoing partnership(s) and information on other FEMA programs that may provide input to the plan, such as Risk MAP, the NFIP, and Building Science, or fund mitigation actions, such as HMA, HHPD grants, and the National Earthquake Hazards Reduction Program. The Plan Assessment is incorporated into the PRT to tie these strengths and opportunities more directly to their respective plan elements. These comments are not regulatory and will not re-state information contained elsewhere in the PRT. Rather, they should be open-ended and provide the community with suggestions for improvements or recommended revisions.

6. Plan Review and Approval Procedure

6.1. Mitigation Plan Submittal

6.1.1. Local

Local governments are encouraged, but not required, to submit a PRT to the state that indicates the locations within the plan where material for meeting the required elements and sub-elements is found. Local mitigation plans and the PRT may be submitted with the adoption resolutions from all participating jurisdictions, or without resolutions, prior to adoption, as explained in Section 6.4.

6.1.2. State

The state is responsible for the initial review and coordination of all local mitigation plans within that state. Once the state completes that initial review and determines that the plan has met the requirements, the state submits the plan to the respective FEMA Regional Office (see FEMA Regional Office contact information at https://www.fema.gov/about/organization/regions), requesting FEMA approval. If the state has been delegated approval authority for local mitigation plans, the state will perform the review in accordance with the PAS agreement.

The submittal to FEMA consists of a transmittal letter or email from the SHMO, Governor's Authorized Representative, or other delegated state officer, identifying:

- The local mitigation plan to be approved.
- The participants seeking approval.[18]
- The funding source and grant number information, if applicable.[19]
- The lead jurisdiction, if applicable.
- If the plan has already been adopted by the participating local jurisdictions (including special districts), with copies of any adoption resolution(s) not in the plan itself.

[18] Federally recognized tribes participating in a multijurisdictional plan with local jurisdiction(s) must be reviewed against the tribal requirements in 44 CFR § 201.7. To aid the review process, states should identify whether the tribal government is federally recognized (and reviewed under 44 CFR § 201.7) or not (and reviewed under 44 CFR § 201.6).

[19] If HMA funding was used for the planning process, ensure the participants are the same ones listed in the grant application for funding. If not, coordinate with the recipient to update the HMA planning subaward scope of work.

Plans must be submitted electronically. Paper copies may be requested to ease review and approval; if paper copies are submitted, electronic copies must be provided. If the state sends a paper copy, it should include an "ATTENTION:" line on the mailing label, with "Mitigation Planning" in addition to the FEMA Regional office (example: ATTENTION: FEMA Region ##, Mitigation Planning).

6.1.3. FEMA

Upon receipt, the FEMA Regional office will provide confirmation to the state by phone, email, mail or other means.

6.2. Mitigation Plan Review

6.2.1. Review Time Frames

FEMA will review all local mitigation plans submitted to the agency using this guide, including the PRT, and any subsequent updates.

FEMA will work with state officials to ensure plans are approved in a timely manner. When revisions are required, FEMA will follow up with the state to ensure a common understanding of any deficiencies and to provide training and/or technical assistance to the state as needed. Plans will be prioritized in the order of submission unless other arrangements are coordinated in advance.

FEMA will review all local mitigation plans within 45 calendar days, whenever possible (44 CFR § 201.6(d)), with a focus on plan approvals, including adoption by the jurisdiction(s). FEMA will work with state officials to ensure plans are reviewed in a timely manner and to prioritize the order of the review of all plans submitted. If FEMA is unable to complete a Local Mitigation Plan review within 45 days of receipt from the state, the FEMA Regional Administrator or his/her designee will either:

a) Send a signed letter to be received by the state within 10 calendar days after the end of the 45-day review period. The letter will include an explanation of the cause of any delays in the review of the Local Mitigation Plan and a reasonable projection of the date by which the plan review will be completed. If a completed review is sent to the state within 10 calendar days after the end of the 45-day review period, a signed cover letter will indicate the reason for the delay.

or

b) Send a monthly status update to each state listing the status of all plans submitted to FEMA for review. This will include, at a minimum, the status of all plans received and currently under review, a reasonable projection of the date by which the plan review will be completed, and the cause for delays for any plans projected to be reviewed more than 45 days after receipt. This monthly update may also include plans approved, plans nearing expiration, or other status categories as deemed appropriate by FEMA.

If the plan requires revisions, FEMA will contact the state as soon as possible to avoid unnecessary delays in completing the approval process, providing any specific written feedback needed for plan approval.

When a plan review is completed, FEMA will inform the state of the outcome and the current status of the plan. FEMA will prepare and forward the necessary correspondence (Approval, APA or Requires Revisions) to the state. This notification to the state will include a copy of the PRT (please see Section 6.4 for more detail). The review time frame requirements also apply to subsequent plan revisions, if revisions are needed, with the goal to expedite approvals and not create a cycle of revisions.

6.2.2. Plan Revision

6.2.2.1. FEMA

Local mitigation plans that do not meet all of the requirements in 44 CFR Part 201 and this guide are returned with correspondence to the state explaining the required revisions as documented by the PRT.

When a plan is not approved after the first review and requires revisions to meet 44 CFR Part 201 and policy, FEMA will complete a subsequent plan review and approval within 45 days of receipt from the state, whenever possible. FEMA's review of these revised local mitigation plans and its responses in the PRT will consider:

1. Only those elements of the PRT where the previous review(s) noted that revisions were required to meet 44 CFR Part 201 and policy.
2. Information in the plan that was deleted or changed from its previous version, such that the plan no longer meets a previously approved element of this guide.
3. The entire plan, if received more than one year after the required revisions were sent to the state.

6.2.2.2. State

Unless the state and FEMA agree otherwise, the state is responsible for forwarding the PRT to the local jurisdiction(s), including special districts. The local government will coordinate with the state on resubmitting the plan with the necessary revisions, as well as any adoption resolutions. The local community may not send the plan directly to FEMA without prior state coordination and agreement. The local community resubmits the plan to the state, which again is responsible for an initial review to ensure the revisions have been completed and meet the requirements before forwarding the plan to FEMA.

States that have plan approval delegation under PAS must ensure that all local mitigation plans meet all the statutory, regulatory and policy requirements for approval.

6.3. Communicating the Status

Local mitigation plans are reviewed using the entire Local Mitigation Planning Policy Guide, including the PRT. FEMA will use the appropriate template letter from Appendix C to notify the state of the plan review status: Requires Revisions, Approvable Pending Adoption, or Approved.

At a minimum, FEMA will use the following communication techniques to coordinate with state offices responsible for reviewing local mitigation plans:

1. FEMA will provide a completed PRT, including a description of any required revisions in the Plan Review Checklist and recommendations in the Plan Assessment.
2. FEMA will send copies of all signed correspondence electronically, to reduce response time.

FEMA may also use the following communication techniques to coordinate with state offices responsible for reviewing local mitigation plans:

1. Phone First: When revisions are required, state and local officials (when previously agreed upon by FEMA and the state) are encouraged to call FEMA for any clarifications or questions rather than communicating in writing. A discussion between the parties may help clear up any misunderstandings before the jurisdiction responds in writing or makes plan revisions.
2. Courtesy Reviews: Local officials may share drafts of their entire plan (or at least the results of the risk assessment) with the state and/or FEMA well in advance of finalizing the plan. Early feedback from the state and FEMA will let the jurisdiction know that it is on the right track, that additional materials are needed, or that major revisions should be made in time to develop and submit an approvable plan by established deadlines.

States may also use the following communication techniques to coordinate with local officials developing local mitigation plans:

1. Stay on Schedule: States and local officials should coordinate with each other on procedures and schedules for state support of local mitigation planning efforts, initial state review of local mitigation plans, and FEMA review and approval in time to meet deadlines.
2. Request Technical Assistance: States and local officials may request technical assistance from FEMA while they are developing the local mitigation plan. Technical assistance includes, but is not limited to, risk assessment, training and information on the planning process itself. If certain elements are not meeting first-pass approval, FEMA will work with the state to provide training and technical assistance, as needed, to increase efficiencies in the plan approval process and minimize potential delays.
3. Joint Reviews: FEMA and the state may conduct a joint review by phone or in person to discuss the plan, section by section, highlighting the strengths of the community's mitigation plan and

noting areas where improvements make the plan more effective at reducing risks to known hazards.

4. Involve the Locals: States may choose to include local officials in joint reviews or allow direct contact between FEMA and local officials to reduce review time.
5. Positive First Contact: When revisions are required, FEMA may contact the state by phone to discuss revisions and offer an opportunity for changes before issuing "required revisions" correspondence.

FEMA will work with the state counterparts to establish mutually agreeable methods of communication for Local Mitigation Plan reviews whenever they differ from the standard process.

6.4. Mitigation Plan Approval

Each jurisdiction, including special districts, that participated in the planning process and is seeking FEMA approval must adopt the mitigation plan. Adoption by the local governing body is an essential part of the planning process, as set forth in the regulations and requirements for mitigation planning. This is the final step that each jurisdiction must take to complete the mitigation planning process and receive plan approval.

For multi-jurisdictional plans, FEMA encourages the lead jurisdiction to gain buy-in for adoption early in the planning process, using letters of commitment. These letters of commitment are an early display that indicates a jurisdiction will participate fully in the planning process and adopt the plan. A participating jurisdiction that does not adopt the plan will not be considered to have an approved plan and will not be eligible for certain kinds of non-emergency disaster assistance from FEMA.

Each jurisdiction, including special districts, that participated in the planning process and is seeking FEMA approval must adopt the mitigation plan. This is the final step that each jurisdiction must take to complete the mitigation planning process and receive plan approval.

Jurisdictions have two options to get their mitigation plans to final approval and adoption, as explained in the following sub-sections and Figure 1.

6.4.1. All Adoption Resolutions Submitted with Plan

Under this option, a community with a single-jurisdictional plan, or all participating communities that are part of a multi-jurisdictional plan, include documentation of plan adoption when they initially submit the plan to the state for review. This documentation is usually a resolution by the governing body, but it may include any other method of adoption allowed by local laws.

The state is responsible for performing an initial review of the plan before sending it to FEMA. This includes checking that each jurisdiction seeking approval participated in the planning process and

met the requirements. After receiving the draft plan from the state, FEMA conducts its review and will approve the plan if it meets all requirements stated in Section 4 of this guide. The plan approval date begins the five-year approval period and sets the expiration date for the plan. All participating jurisdictions will have the same approval date. The official approval date and the plan's expiration date are both indicated on the signed FEMA approval correspondence.

Under this option, the jurisdiction(s) adopt(s) the plan before submitting it to FEMA. It is important to recognize that the state and/or FEMA may require revisions to the plan that will change the plan's final content. Jurisdictions are encouraged to use flexible adoption resolution language that leaves room for any required revisions that occur after adoption, if local laws invalidate the adopted resolution language used in the plan. If it is not allowable per local laws, jurisdictions may need to re-adopt the plan after revisions are made. Appendix B includes sample adoption language. All jurisdictions must adopt the plan in accordance with local laws and regulations.

6.4.2. Approvable Pending Adoption

Approvable Pending Adoption (APA) status is used when jurisdictions submit the final draft of a local hazard mitigation plan for review prior to formal jurisdictional adoption. The APA status allows FEMA to communicate to the plan participant(s) that the plan is ready for adoption. ***It is important to note that APA is not the same as having an approved plan*.** To reach approval, all participating jurisdictions must adopt the plan in accordance with local regulations.

Under this option, the state and FEMA review the draft local mitigation plan. The state is responsible for checking that each jurisdiction seeking approval participated in the planning process and has met all requirements except adoption. Once this is completed, the state sends the plan to FEMA. FEMA then completes its review. When FEMA determines that the plan as a whole and each participating jurisdiction have met all the requirements except adoption, FEMA will inform the state (e.g., by sending an electronic communication or letter) that the plan is in APA status. The state informs the local governments that the plan is in APA status and that local adoption must be completed for FEMA to approve the plan.

According to 44 CFR § 201.6(a)(4), "Multi-jurisdictional plans may be accepted, as appropriate, as long as each jurisdiction has participated in the process and has officially adopted the plan." For multi-jurisdictional plans, FEMA will grant APA status for the plan as a whole when the plan and each participating jurisdiction have met all of the requirements except adoption (Element F). APA status will not be granted to individual jurisdictions on a piecemeal basis. If some jurisdictions are unable to meet all the requirements, the plan submittal may include notification that those jurisdictions are not participating at that time.

Once FEMA receives documentation of at least one adoption resolution, the status is changed from APA to Approved for the entire plan and for that jurisdiction. This status change establishes the start and expiration dates for the plan approval period. Beyond that, it only means that the jurisdiction

that provided proof of adoption is approved; ***each participating jurisdiction must adopt the plan to be approved.***

Participating jurisdictions that adopt the plan more than one year after 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.

The plan approval date begins the five-year approval period and sets the expiration date for the plan. For single and multi-jurisdictional plans, the official plan approval date and plan expiration date are indicated on the official FEMA approval letter. All participating jurisdictions in the multi-jurisdictional plan will have the same expiration date regardless of their own jurisdiction's adoption date. The date indicated on FEMA's approval letter is the official approval date. A jurisdiction with a plan in APA status does not meet the requirement for an approved mitigation plan to apply for and receive assistance.

Figure 1 shows the two paths that multi-jurisdictional plans can follow to achieve approved status: Submission With Adoption Resolution(s) and Submission Without Adoption Resolution(s).

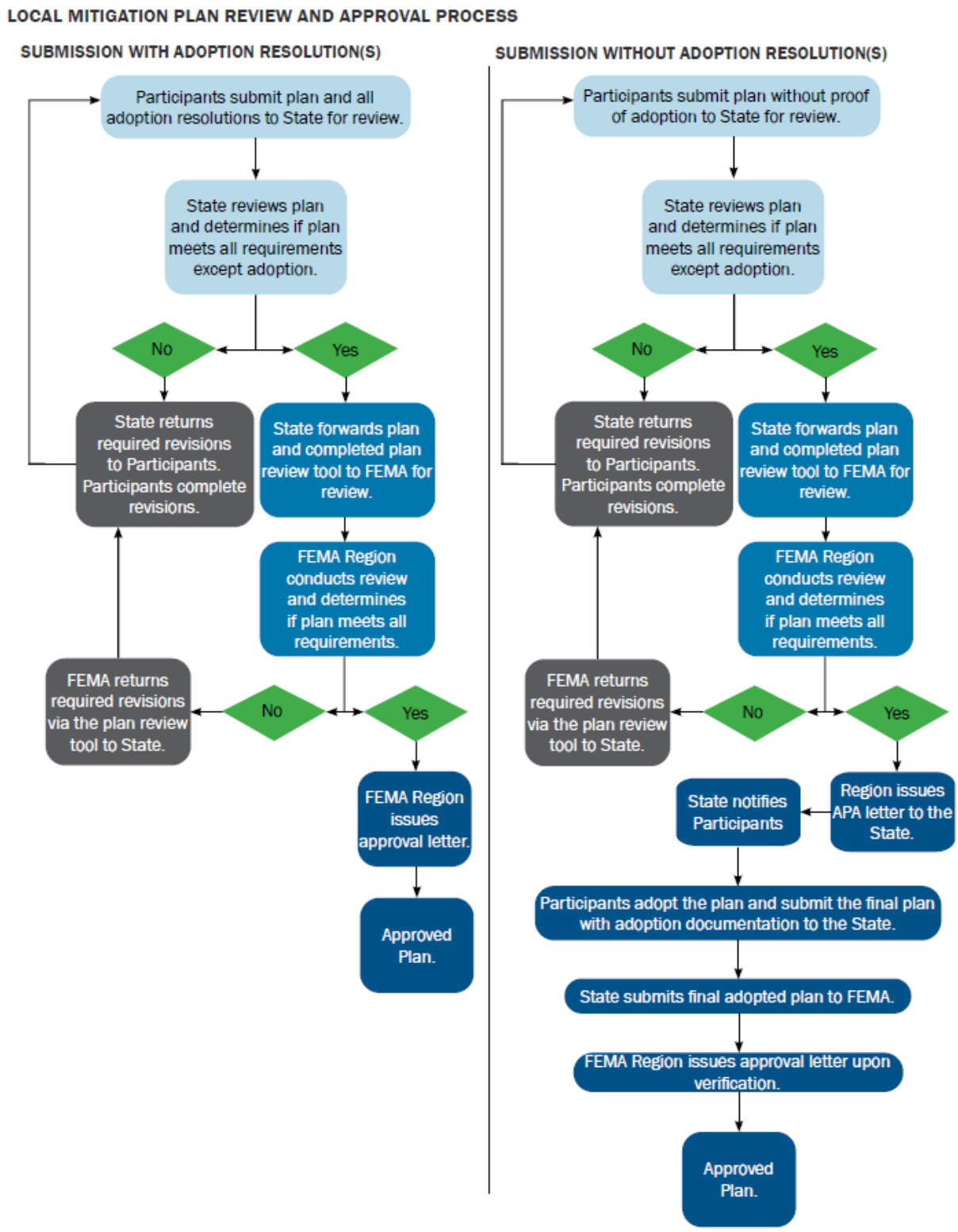

Figure 1: Local Mitigation Plan Review Process

6.4.3. Approved

6.4.3.1. FEMA

Once the FEMA Regional Office receives the plan, including adoptions, and confirms that all elements have been met, FEMA will send the state one of two letters, APA or Approval. Templates for the letters are included in Appendix C; any changes to a template letter must be approved by the FEMA Headquarters National Mitigation Planning Program. The letter will be signed by the Regional Administrator or their designee. This designee may be the Regional Mitigation Division Director, Branch Chief or other designated official. Approval correspondence will identify, at a minimum, the name of the approved plan, approved plan participants, the date of plan approval and the date approval expires. For multi-jurisdictional plans, this information may be included in the PRT or another attachment.

Approval correspondence for multi-jurisdictional plans will clearly state that the same official plan expiration date applies to all participating jurisdictions, regardless of when each one adopts the plan. If the plan is multi-jurisdictional and FEMA does not receive all participating jurisdictions' adoptions at the same time, FEMA will periodically provide the state with an updated jurisdiction status as additional adoptions are received. This may include email correspondence and/or an updated, completed PRT identifying which jurisdictions have adopted the plan and can be designated as having an approved plan.

6.4.3.2. State

Unless the state and FEMA have agreed otherwise, FEMA will send all approval correspondence to the state. The state is responsible for communicating the approval to the local government(s), including special districts. The state should ensure all jurisdictions adopt the mitigation plan, in particular, those local governments interested in applying for certain non-emergency FEMA assistance with an approved mitigation plan requirement.

Appendix A: Local Mitigation Plan Review Tool

Cover Page

The Local Mitigation Plan Review Tool (PRT) demonstrates how the local mitigation plan meets the regulation in 44 CFR § 201.6 and offers states and FEMA Mitigation Planners an opportunity to provide feedback to the local governments, including special districts.

1. The Multi-Jurisdictional Summary Sheet is a worksheet that is used to document how each jurisdiction met the requirements of the plan elements (Planning Process; Risk Assessment; Mitigation Strategy; Plan Maintenance; Plan Update; and Plan Adoption).
2. The Plan Review Checklist summarizes FEMA's evaluation of whether the plan has addressed all requirements.

For greater clarification of the elements in the Plan Review Checklist, please see Section 4 of this guide. Definitions of the terms and phrases used in the PRT can be found in Appendix E of this guide.

Plan Information	
Jurisdiction(s)	
Title of Plan	
New Plan or Update	
Single- or Multi-Jurisdiction	
Date of Plan	
Local Point of Contact	
Title	
Agency	
Address	
Phone Number	
Email	

Additional Point of Contact	
Title	
Agency	
Address	
Phone Number	
Email	

Review Information	
State Review	
State Reviewer(s) and Title	
State Review Date	
FEMA Review	
FEMA Reviewer(s) and Title	
Date Received in FEMA Region	
Plan Not Approved	
Plan Approvable Pending Adoption	
Plan Approved	

Multi-Jurisdictional Summary Sheet

#	Jurisdiction Name	Requirements Met (Y/N)						
		A. Planning Process	B. Risk Assessment	C. Mitigation Strategy	D. Plan Maintenance	E. Plan Update	F. Plan Adoption	G. State Requirements
1								
2								
3								
4								
5								
6								
7								
8								
9								
10								

Plan Review Checklist

The Plan Review Checklist is completed by FEMA. States and local governments are encouraged, but not required, to use the PRT as a checklist to ensure all requirements have been met prior to submitting the plan for review and approval. The purpose of the checklist is to identify the location of relevant or applicable content in the plan by element/sub-element and to determine if each requirement has been "met" or "not met." FEMA completes the "required revisions" summary at the bottom of each element to clearly explain the revisions that are required for plan approval. Required revisions must be explained for each plan sub-element that is "not met." Sub-elements in each summary should be referenced using the appropriate numbers (A1, B3, etc.), where applicable. Requirements for each element and sub-element are described in detail in Section 4: Local Plan Requirements of this guide.

Plan updates must include information from the current planning process.

If some elements of the plan do not require an update, due to minimal or no changes between updates, the plan must document the reasons for that.

Multi-jurisdictional elements must cover information unique to all participating jurisdictions.

Element A: Planning Process

Element A Requirements	Location in Plan (section and/or page number)	Met / Not Met
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. Does the plan document how the plan was prepared, including the schedule or time frame and activities that made up the plan's development, as well as who was involved?		
A1-b. Does the plan list the jurisdiction(s) participating in the plan that seek approval, and describe how they participated in the planning process?		
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. Does the plan identify all stakeholders involved or given an opportunity to be involved in the planning process, and how each stakeholder was presented with this opportunity?		

Element A Requirements	Location in Plan (section and/or page number)	Met / Not Met
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. Does the plan document how the public was given the opportunity to be involved in the planning process and how their feedback was included in the plan?		
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. Does the plan document what existing plans, studies, reports and technical information were reviewed for the development of the plan, as well as how they were incorporated into the document?		
Element A Required Revisions		
Required Revision:		

Element B: Risk Assessment

Element B Requirements	Location in Plan (section and/or page number)	Met / Not Met
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. Does the plan describe all natural hazards that can affect the jurisdiction(s) in the planning area, and does it provide the rationale if omitting any natural hazards that are commonly recognized to affect the jurisdiction(s) in the planning area?		
B1-b. Does the plan include information on the location of each identified hazard?		
B1-c. Does the plan describe the extent for each identified hazard?		
B1-d. Does the plan include the history of previous hazard events for each identified hazard?		

Element B Requirements	Location in Plan (section and/or page number)	Met / Not Met
B1-e. Does the plan include the probability of future events for each identified hazard? Does the plan describe the effects of future conditions, including climate change (e.g., long-term weather patterns, average temperature and sea levels), on the type, location and range of anticipated intensities of identified hazards?		
B1-f. For participating jurisdictions in a multi-jurisdictional plan, does the plan describe any hazards that are unique to and/or vary from those affecting the overall 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. Does the plan provide an overall summary of each jurisdiction's vulnerability to the identified hazards?		
B2-b. For each participating jurisdiction, does the plan describe the potential impacts of each of the identified hazards on each participating jurisdiction?		
B2-c. Does the plan address NFIP-insured structures within each jurisdiction that have been repetitively damaged by floods?		
Element B Required Revisions		
Required Revision:		

Element C: Mitigation Strategy

Element C Requirements	Location in Plan (section and/or page number)	Met / Not Met
C1. Does the plan document each participant'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. Does the plan describe how the existing capabilities of each participant are available to support the mitigation strategy? Does this include a discussion of the existing building codes and land use and development ordinances or regulations?		
C1-b. Does the plan describe each participant's ability to expand and improve the identified capabilities to achieve mitigation?		
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. Does the plan contain a narrative description or a table/list of their participation 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. Does the plan include goals to reduce the risk from the hazards identified in the plan?		
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. Does the plan include an analysis of a comprehensive range of actions/projects that each jurisdiction considered to reduce the impacts of hazards identified in the risk assessment?		
C4-b. Does the plan include one or more action(s) per jurisdiction for each of the hazards as identified within the plan's risk assessment?		
C5. Does the plan contain an action plan that describes how the actions identified will be prioritized (including a cost-benefit review), implemented, and administered by each jurisdiction? (Requirement 44 CFR § 201.6(c)(3)(iv)); (Requirement §201.6(c)(3)(iii))		
C5-a. Does the plan describe the criteria used for prioritizing actions?		

Element C Requirements	Location in Plan (section and/or page number)	Met / Not Met
C5-b. Does the plan provide the position, office, department or agency responsible for implementing/administrating the identified mitigation actions, as well as potential funding sources and expected time frame?		
Element C Required Revisions		
Required Revision:		

Element D: Plan Maintenance

Element D Requirements	Location in Plan (section and/or page number)	Met / Not Met
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. Does the plan describe how communities will continue to seek future public participation after the plan has been approved?		
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. Does the plan describe the process that will be followed to track the progress/status of the mitigation actions identified within the Mitigation Strategy, along with when this process will occur and who will be responsible for the process?		
D2-b. Does the plan describe the process that will be followed to evaluate the plan for effectiveness? This process must identify the criteria that will be used to evaluate the information in the plan, along with when this process will occur and who will be responsible.		
D2-c. Does the plan describe the process that will be followed to update the plan, along with when this process will occur and who will be responsible for the process?		

Element D Requirements	Location in Plan (section and/or page number)	Met / Not Met
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. Does the plan describe the process the community will follow to integrate the ideas, information and strategy of the mitigation plan into other planning mechanisms?		
D3-b. Does the plan identify the planning mechanisms for each plan participant into which the ideas, information and strategy from the mitigation plan may be integrated?		
D3-c. For multi-jurisdictional plans, does the plan describe each participant's individual process for integrating information from the mitigation strategy into their identified planning mechanisms?		
Element D Required Revisions		
Required Revision:		

Element E: Plan Update

Element E Requirements	Location in Plan (section and/or page number)	Met / Not Met
E1. Was the plan revised to reflect changes in development? (Requirement 44 CFR § 201.6(d)(3))		
E1-a. Does the plan describe the changes in development that have occurred in hazard-prone areas that have increased or decreased each community's vulnerability since the previous plan was approved?		
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. Does the plan describe how it was revised due to changes in community priorities?		
E2-b. Does the plan include a status update for all mitigation actions identified in the previous mitigation plan?		

Element E Requirements	Location in Plan (section and/or page number)	Met / Not Met
E2-c. Does the plan describe how jurisdictions integrated the mitigation plan, when appropriate, into other planning mechanisms?		
Element E Required Revisions		
Required Revision:		

Element F: Plan Adoption

Element F Requirements	Location in Plan (section and/or page number)	Met / Not Met
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. Does the participant include documentation of adoption?		
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. Did each participant adopt the plan and provide documentation of that adoption?		
Element F Required Revisions		
Required Revision:		

Element G: High Hazard Potential Dams (Optional)

HHPD Requirements	Location in Plan (section and/or page number)	Met / Not Met
HHPD1. Did the plan describe the incorporation of existing plans, studies, reports and technical information for HHPDs?		
HHPD1-a. Does the plan describe how the local government worked with local dam owners and/or the state dam safety agency?		
HHPD1-b. Does the plan incorporate information shared by the state and/or local dam owners?		
HHPD2. Did the plan address HHPDs in the risk assessment?		
HHPD2-a. Does the plan describe the risks and vulnerabilities to and from HHPDs?		
HHPD2-b. Does the plan document the limitations and describe how to address deficiencies?		
HHPD3. Did the plan include mitigation goals to reduce long-term vulnerabilities from HHPDs?		
HHPD3-a. Does the plan address how to reduce vulnerabilities to and from HHPDs as part of its own goals or with other long-term strategies?		
HHPD3-b. Does the plan link proposed actions to reducing long-term vulnerabilities that are consistent with its goals?		
HHPD4-a. Did the plan include actions that address HHPDs and prioritize mitigation actions to reduce vulnerabilities from HHPDs?		
HHPD4-a. Does the plan describe specific actions to address HHPDs?		
HHPD4-b. Does the plan describe the criteria used to prioritize actions related to HHPDs?		
HHPD4-c. Does the plan identify the position, office, department or agency responsible for implementing and administering the action to mitigate hazards to or from HHPDs?		
HHPD Required Revisions		
Required Revision:		

Element H: Additional State Requirements (Optional)

Element H Requirements	Location in Plan (section and/or page number)	Met / Not Met
This space is for the State to include additional requirements		

Plan Assessment

These comments can be used to help guide your annual/regularly scheduled updates and the next plan update.

Element A. Planning Process

Strengths

- [insert comments]

Opportunities for Improvement

- [insert comments]

Element B. Risk Assessment

Strengths

- [insert comments]

Opportunities for Improvement

- [insert comments]

Element C. Mitigation Strategy

Strengths

- [insert comments]

Opportunities for Improvement

- [insert comments]

Element D. Plan Maintenance

Strengths

- [insert comments]

Opportunities for Improvement

- [insert comments]

Element E. Plan Update

Strengths

- [insert comments]

Opportunities for Improvement

- [insert comments]

Element G. HHPD Requirements (Optional)

Strengths

- [insert comments]

Opportunities for Improvement

- [insert comments]

Element H. Additional State Requirements (Optional)

Strengths

- [insert comments]

Opportunities for Improvement

- [insert comments]

Appendix B: Sample Adoption Resolution

(LOCAL GOVERNMENT, INCLUDING SPECIAL DISTRICTS), (STATE)

RESOLUTION NO. _____

A RESOLUTION OF (LOCAL GOVERNMENT) ADOPTING THE (TITLE AND DATE OF MITIGATION PLAN)

WHEREAS the (local governing body) recognizes the threat that natural hazards pose to people and property within (local government); and

WHEREAS the (local government) has prepared a multi-hazard mitigation plan, hereby known as (title and date of mitigation plan) in accordance with federal laws, including the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended; the National Flood Insurance Act of 1968, as amended; and the National Dam Safety Program Act, as amended; and

WHEREAS (title and date of mitigation plan) identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in (local government) from the impacts of future hazards and disasters; and

WHEREAS adoption by the (local governing body) demonstrates its commitment to hazard mitigation and achieving the goals outlined in the (title and date of mitigation plan).

NOW THEREFORE, BE IT RESOLVED BY THE (LOCAL GOVERNMENT), (STATE), THAT:

Section 1. In accordance with (local rule for adopting resolutions), the (local governing body) adopts the (title and date of mitigation plan). While content related to (local government) may require revisions to meet the plan approval requirements, changes occurring after adoption will not require (local government) to re-adopt any further iterations of the plan. Subsequent plan updates following the approval period for this plan will require separate adoption resolutions.

ADOPTED by a vote of ____ in favor and ____ against, and ____ abstaining, this _____ day of _____, _____.

By: _____ (print name)

ATTEST: By: _____ (print name)

APPROVED AS TO FORM: By: _____ (print name)

Appendix C: APA and Approval Status Letters

Approvable Pending Adoption Letter Template

[insert date]

[insert name, title]
[insert agency name]
[insert agency address]

Reference: Adoption Required to Finish Local Mitigation Plan Process

Dear [insert name]:

The [insert appropriate name] Branch of FEMA Region [insert number] Mitigation Division has determined the local mitigation plan meets all applicable FEMA mitigation planning requirements[20] except its adoption by: [insert name(s) of local governments, including special districts]

Local governments, including special districts, with a plan status of "Approvable Pending Adoption" are not eligible for FEMA mitigation grant programs with a mitigation plan requirement.

The next step in the approval process is to formally adopt the mitigation plan and send a resolution to the state for submission to FEMA. Sample adoption resolutions can be found in Appendix A of the Local Mitigation Planning and Policy Guide.

An approved local mitigation plan, including adoption by the local government, is one of the conditions for applying for and/or receiving FEMA mitigation grants from the following programs:

- Hazard Mitigation Grant Program
- Building Resilient Infrastructure and Communities
- Flood Mitigation Assistance
- Rehabilitation of High Hazard Potential Dams Grant Program [Insert, if applicable]

We look forward to receiving the adoption resolution(s) and discussing options for implementing this mitigation plan. If we can help in any way, please contact [insert name] at [insert phone # and email address].

[20] Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended; the National Flood Insurance Act of 1968, as amended; and National Dam Safety Program Act, as amended; 44 CFR Part 201, Mitigation Planning; and Local Mitigation Planning Policy Guide (FP-206-21-0002).

Participating jurisdictions that adopt the plan more than one year after 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.

Sincerely,

[insert name] [insert title]

Attachment: Local Mitigation Plan Review Tool

Approval Letter Template

[insert name, title]
[insert agency name]
[insert agency address line 1] [insert agency address line 2]

Reference: Approval of the [insert name] Local Mitigation Plan

Dear [insert name]:

In accordance with applicable[21] laws, regulations and policy, the [insert appropriate name] Branch of FEMA Region [insert number] Mitigation Division has approved the [insert name] local mitigation plan for the following jurisdiction(s) [If needed for multi-jurisdictional plans, list the specific jurisdictions that have met the mitigation plan requirements, including adoption].

The approval period for this plan is from [insert date – example: October 5, 2023] through [insert date, less one day - example: October 4, 2028].

[If HHPD and all dam risks are addressed, insert:] In addition, [insert this plan/the following jurisdictions] met the requirements for addressing all dam risks listed in the local mitigation plan. [If needed for multi-jurisdictional plans, list the specific jurisdictions that have met the HHPD requirements.]

An approved mitigation plan is one of the conditions for applying for and receiving FEMA mitigation grants from the following programs:

- Hazard Mitigation Grant Program
- Building Resilient Infrastructure and Communities
- Flood Mitigation Assistance
- Rehabilitation of High Hazard Potential Dams Grant Program [Insert, if applicable]

Having an approved mitigation plan does not mean that mitigation grant funding will be awarded. Specific application and eligibility requirements for the programs listed above can be found in each FEMA grant program's respective policies and annual Notice of Funding Opportunities, as applicable.

A draft of the next plan update must be submitted before the end of the approval period. Remember to allow sufficient time to secure funding as well as for the update process, including the review and approval process. Please include time for any revisions, if needed, and for your jurisdiction to formally adopt the plan after the review, if not adopted prior to submission. This will enable you to remain eligible to apply for and receive funding from FEMA's mitigation grant programs with a mitigation plan requirement. Local governments, including special districts, with a plan status of

[21] Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended; the National Flood Insurance Act of 1968, as amended; and National Dam Safety Program Act, as amended; 44 CFR Part 201, Mitigation Planning; and Local Mitigation Planning Policy Guide (FP-206-21-0002).

"Approvable Pending Adoption" are not eligible for FEMA's non-emergency assistance and mitigation grant programs with a mitigation plan requirement.

We look forward to discussing options for implementing this mitigation plan. If you would like to do so, please contact [insert name] at [insert phone # and email address].

Sincerely,

[insert name] [insert title]

Attachment: Local Mitigation Plan Review Tool

Appendix D: Amendment and Joining Procedures

A mitigation plan may need to be amended after it is approved by FEMA (or a state that was delegated approval authority under a PAS Agreement) and adopted by the local government(s). Amending an approved and adopted plan does not necessarily result in the need to reevaluate the entire plan against all requirements. FEMA expects local governments to conduct regularly scheduled reviews and amendments to their mitigation plan. This may result in modifications to the risk assessment or adding/removing mitigation actions, especially in preparation for submitting applications to FEMA for assistance and ensuring the project conforms with the mitigation plan. Participants are encouraged to keep the state and FEMA informed, but these amendments do not need to be reviewed and approved by the state and FEMA. If these changes identify new mitigation actions that might be eligible for FEMA assistance programs, then advise FEMA and the state. FEMA will acknowledge and note the receipt of the added action(s), where appropriate, but does not need to formally review or approve the action(s).

In addition, after a multi-jurisdictional mitigation plan has been adopted and approved by FEMA, other jurisdictions may wish to "join" the mitigation plan. Jurisdictions may be added to an existing, approved mitigation plan only if the conditions below are met.

1. The jurisdiction asking to be included is within the boundaries of, or adjacent to, the area covered by the multi-jurisdictional mitigation plan.
2. The organization responsible for preparing and submitting the multi-jurisdictional mitigation plan to the state and FEMA agrees with adding the requesting jurisdiction(s) to the mitigation plan.
3. When the multi-jurisdictional mitigation plan was developed, the risk assessment included an analysis of the natural hazards that have the potential to affect the additional jurisdiction(s).

If all three conditions are not met, the jurisdiction may develop its own mitigation plan. If these conditions can be met, three options exist to add jurisdictions to an approved mitigation plan. For any of these options, each jurisdiction joining a multi-hazard planning process and seeking to receive approval from FEMA for a mitigation plan must satisfy all of the local mitigation plan requirements in 44 CFR § 201.6 and this guide at time of approval.

Option 1 - Participating jurisdiction that did not adopt the plan within one year of the Approved Pending Adoption (APA) date

This option is best suited to local jurisdictions that participated throughout the plan's development, but failed to adopt the plan within one year after the APA date. Participating jurisdictions adopting the plan more than a year after the APA date must either:

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

However, this late adoption does not affect the plan expiration date. The plan will still expire five years from the date the first adoption was received.

Option 2 – Adding a jurisdiction that did not participate in the original planning process

This option is best suited to a multi-jurisdictional mitigation plan that has been recently approved by FEMA (and thus most of the plan's five-year approval period remains). In this case, the jurisdictions that participated in the multi-jurisdictional planning process are not required to take any action. Plan content specific to any new jurisdiction is included in a new annex or appendix to the existing mitigation plan, and no other changes are made to the previously approved mitigation plan.

The following actions must be taken to add new jurisdictions to an existing multi-jurisdictional mitigation plan and enable them to receive approval as part of the mitigation plan:

1. The requesting jurisdiction(s) must review the multi-jurisdictional hazard analysis and determine if any additional hazards that have not been addressed threaten the jurisdiction(s). If none exist, the jurisdiction(s) must document their review process and state that no additional hazards exist. If the review reveals additional hazards, the jurisdiction(s) must analyze the risks they face associated with those hazards and include this analysis in their written appendix to the multi-jurisdictional mitigation plan. The existing risk assessment cannot be resubmitted without this additional documentation.
2. The requesting jurisdiction(s) must document their agreement with the stated mitigation goals of the multi-jurisdictional mitigation plan. Additional goals specific to the requesting jurisdiction may be added. Each additional jurisdiction must also develop a list of proposed mitigation actions appropriate for that jurisdiction. These can include the common actions outlined in the multi-jurisdictional mitigation plan but must include specific mitigation actions for each profiled hazard for the jurisdiction itself.
3. The requesting jurisdiction(s) must document the involvement of both the general public and the local government in the planning process, in accordance with 44 CFR § 201.6. The level of participation by the additional jurisdiction(s) must be consistent with those in the multi-jurisdictional mitigation plan.
4. The annex or appendix, along with the multi-jurisdictional mitigation plan and correspondence of concurrence from the agency or organization responsible for the mitigation plan, must be submitted to the state for formal review. When the state finds the mitigation plan approvable, it will forward it to FEMA. When FEMA's review finds the mitigation plan “approvable pending adoption,” the new jurisdiction can officially adopt the full mitigation plan and its jurisdiction-

specific annex or appendix and submit the mitigation plan in final form through the state to FEMA for approval.

The mitigation plan expiration date for the added jurisdictions will be the date on which the originally approved multi-jurisdictional mitigation plan expires. This means that the added jurisdictions will have less than the entire five-year plan approval period before they will need to engage in the required update of the full multi-jurisdictional mitigation plan.

Option 3 - Revise and Update Full Plan

This option is best suited to situations in which new jurisdictions are added to the multi-jurisdictional mitigation plan more than one year into the approval period of the mitigation plan. In this case, the organization responsible for the mitigation plan determines that it is an appropriate time to begin the plan update process, and the new jurisdiction(s) can participate in that update with the original jurisdictions.

Appendix E: Acronyms and Definitions

List of Acronyms and Abbreviations

APA	Approvable Pending Adoption
BRIC	Building Resilient Infrastructure and Communities
CFR	Code of Federal Regulations
CRS	Community Rating System
EO	Executive Order
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
FMA	Flood Mitigation Assistance
HHPD	High Hazard Potential Dam
HMA	Hazard Mitigation Assistance
HMGP	Hazard Mitigation Grant Program
NFIP	National Flood Insurance Program
PAS	Program Administration by States
PPD	Presidential Policy Directive
PRT	Plan Review Tool
Risk MAP	Risk Mapping, Assessment and Planning
RL	Repetitive Loss
SHMO	State Hazard Mitigation Officer
SRL	Severe Repetitive Loss
U.S.C.	United States Code

List of Definitions

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 for implementation, based on each jurisdiction's capabilities, as well as the social, technical and economic feasibility of the action.

Approvable Pending Adoption means that the plan has met the elements in the Local Plan Requirements but has not yet been officially adopted by the participating communities.

Assets are determined by the community and include, but are not limited to: people; structures; systems; natural, historic, and cultural resources; and/or activities that have value to the community.

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

Climate Change refers to "changes in average weather conditions that persist over multiple decades or longer. Climate change encompasses both increases and decreases in temperature, as well as shifts in precipitation, changing risk of certain types of severe weather events, and changes to other features of the climate system." (U.S. Global Change Research Program, 4th National Climate Assessment).

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.

Community resilience is the ability of a community to prepare for anticipated hazards, adapt to changing conditions, and withstand and recover rapidly from disruptions. Activities such as disaster preparedness (which includes prevention, protection, mitigation, response and recovery), and reducing community stressors (the underlying social, economic and environmental conditions that can weaken a community) are key steps to resilience.

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

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

Equity is the consistent and systematic fair, just and impartial treatment of all individuals.

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

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

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

Hazard mitigation means any sustained action taken to reduce or eliminate the long-term risk to human life and property from hazards.

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).

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

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.

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.

Local government is any county, municipality, city, town, township, public authority, school district, special district, intrastate district, council of governments (regardless of whether the council of governments is incorporated as a nonprofit corporation under State law), regional or interstate government entity, or agency or instrumentality of a local government; any Indian tribe or authorized tribal organization, or Alaska Native village or organization; and any rural community, unincorporated town or village, or other public entity (44 CFR § 201.2).

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.

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

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.

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.

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. Different communities may necessitate more targeted outreach and engagement, especially underserved communities.

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.).

Plan expiration date means the date after which the participating jurisdiction(s) must update the plan and have it reapproved by FEMA. FEMA sets this date at five years after the plan approval date. For multi-jurisdictional plans, this date is the same for all participating jurisdictions. The plan expiration date is stated on the signed FEMA approval correspondence.

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, climate action plans or other long-range plans.

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."

Regulatory flood mapping products are intended to be used as the basis for official actions required by the NFIP.

Repetitive loss structure means one 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))

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.

Severe repetitive loss structure means one 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))

Social vulnerability is understood as the potential for loss within an individual or social group, recognizing that some characteristics influence an individual's or group's ability to prepare, respond, cope or recover from an event. These characteristics can overlap within populations to create heightened vulnerability, which may be compounded by infrastructure deficiencies within communities and historic or existing discriminatory government policies.

Underserved Communities refers to populations sharing a particular characteristic, as well as geographic communities that have been systematically denied a full opportunity to participate in aspects of economic, social and civic life. The barriers to opportunity and participation these communities face have been occurring throughout history and continue today.

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

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).

Whole community is defined as a focus on enabling the participation in national preparedness activities of a wider range of players from the private and nonprofit sectors, including nongovernmental organizations and the general public, in conjunction with the participation of all levels of government in order to foster better coordination and working relationships.

Appendix F: Code of Federal Regulations

Disclaimer: This appendix presents excerpts from 44 CFR Part 201 for standard and enhanced state mitigation plans. These are excerpts from 44 CFR Part 201 organized here for ease of reference as they align with the policy requirement. The regulations in their entirety can be found in the Electronic Code of Federal Regulations

Element A: Planning Process

This table presents the regulatory citations for local mitigation plans. Note: This is not the full regulatory text.	
Requirement	**CFR Language**
§201.6(b)	An open public involvement process is essential to the development of an effective plan. In order to develop a more comprehensive approach to reducing the effects of natural disasters, the planning process shall include:
§201.6(b)(1)	(1) An opportunity for the public to comment on the plan during the drafting stage and prior to plan approval;
§201.6(b)(2)	(2) 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; and
§201.6(b)(3)	(3) Review and incorporation, if appropriate, of existing plans, studies, reports, and technical information.
§201.6(c)(1)	The plan shall document the planning process used to develop the plan, including how it was prepared, who was involved in the process, and how the public was involved.

Element B: Risk Assessment

This table presents the regulatory citations for local mitigation plans. Note: This is not the full regulatory text.	
Requirement	**CFR Language**
§201.6(c)(2)(i)	The risk assessment shall include a description of the type, location, and extent of all natural hazards that can affect the jurisdiction. The plan shall include information on previous occurrences of hazard events and on the probability of future hazard events.
§201.6(c)(2)(ii)	The risk assessment shall include a description of the jurisdiction's vulnerability to the hazards described in paragraph (c)(2)(i) of this section. This description shall include an overall summary of each hazard and its impact on the community. All plans approved after October 1, 2008 must also address NFIP insured structures that have been repetitively damaged by floods. The plan should describe vulnerability in terms of:
§201.6(c)(2)(ii)(A)	(A) The types and numbers of existing and future buildings, infrastructure, and critical facilities located in the identified hazard areas;
§201.6(c)(2)(ii)(B)	(B) An estimate of the potential dollar losses to vulnerable structures identified in … this section and a description of the methodology used to prepare the estimate.
§201.6(c)(2)(ii)(C)	(C) Providing a general description of land uses and development trends within the community so that mitigation options can be considered in future land use decisions.
§201.6(c)(2)(iii)	For multi-jurisdictional plans, the risk assessment section must assess each jurisdiction's risks where they vary from the risks facing the entire planning area.

Element C: Mitigation Strategy

This table presents the regulatory citations for local mitigation plans. Note: This is not the full regulatory text.	
Requirement	**CFR Language**
§201.6(c)(3)	The plan shall include a mitigation strategy that provides the jurisdiction's blueprint for reducing the potential losses identified in the risk assessment, based on existing authorities, policies, programs, and resources, and its ability to expand on and improve these existing tools.
§201.6(c)(3)(i)	The hazard mitigation strategy shall include a description of mitigation goals to reduce or avoid long-term vulnerabilities to the identified hazards.
§201.6(c)(3)(ii)	The hazard mitigation strategy shall include a section that identifies and analyzes a comprehensive range of specific mitigation actions and projects being considered to reduce the effects of each hazard, with particular emphasis on new and existing buildings and infrastructure. All plans approved by FEMA after October 1, 2008, must also address the jurisdiction's participation in the NFIP, and continued compliance with NFIP requirements, as appropriate.
§201.6(c)(3)(iii)	The hazard mitigation strategy shall include an action plan, describing how the action identified in paragraph (c)(3)(ii) of this section will be prioritized, implemented, and administered by the local jurisdiction. Prioritization shall include a special emphasis on the extent to which benefits are maximized according to a cost benefit review of the proposed projects and their associated costs.
§201.6(c)(3)(iv)	For multi-jurisdictional plans, there must be identifiable action items specific to the jurisdiction requesting FEMA approval or credit of the plan.
§201.6(c)(4)(ii)	The plan shall include a plan maintenance process that includes a process by which local governments incorporate the requirements of the mitigation plan into other planning mechanisms such as comprehensive or capital improvement plans, when appropriate.

Element D: Plan Maintenance

This table presents the regulatory citations for local mitigation plans. Note: This is not the full regulatory text.	
Requirement	**CFR Language**
§201.6(c)(4)(i)	The plan maintenance process shall include a section describing the method and schedule of monitoring, evaluating, and updating the mitigation plan within a five-year cycle.
§201.6(c)(4)(ii)	The plan shall include a process by which local governments incorporate the requirements of the mitigation plan into other planning mechanisms such as comprehensive or capital improvements, when appropriate.
§201.6(c)(4)(iii)	The plan maintenance process shall include a discussion on how the community will continue public participation in the plan maintenance process.

Element E: Plan Update

This table presents the regulatory citations for local mitigation plans. Note: This is not the full regulatory text.	
Requirement	**CFR Language**
§201.6(d)(3)	A local jurisdiction must review and revise its plan to reflect changes in development, progress in local mitigation efforts, and changes in priorities, and resubmit if for approval within five years in order to continue to be eligible for mitigation project grant funding.

Element F: Plan Adoption

This table presents the regulatory citations for local mitigation plans. Note: This is not the full regulatory text.	
Requirement	**CFR Language**
§201.6(c)(5)	The plan shall include documentation that the plan has been formally adopted by the governing body of the jurisdiction requesting approval of the plan (e.g., City Council, County Commissioner, Tribal Council). For multi-jurisdictional plans, each jurisdiction requesting approval of the plan must document that it has been formally adopted.

Appendix G: High Hazard Potential Dams Grant Program Mitigation Plan Requirement

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

This table presents the statutory citations for local mitigation plans. Note: This is not the full statutory text.	
Requirement	**Unites States Code (U.S.C.) Language**
Requirement **33 U.S.C. § 467f–2 (d)(2)(B)**	Beginning not later than two years after the date on which the Administrator publishes criteria for hazard mitigation plans under paragraph (3), demonstrate that the Tribal or local government with jurisdiction over the area in which the dam is located has in place a hazard mitigation plan that includes all dam risks; and complies with the Disaster Mitigation Act of 2000 (Public Law 106–390; 114 Stat. 1552).