

SULTAN CITY COUNCIL AGENDA ITEM COVER SHEET

ITEM NO: D-1
DATE: June 11, 2009
SUBJECT: Hazard Mitigation Plan Update
CONTACT PERSON: Deborah Knight, City Administrator

ISSUE:

Review the information on the joint effort of cities within Snohomish County to update the Hazard Mitigation Plan as required by the Disaster Mitigation Act.

STAFF RECOMMENDATION:

Review the information on the schedule and staff effort to review and update the Natural Hazard Mitigation Plan (NHMP) adopted by the City in 2004. Direct staff to begin working with Snohomish County to update the NHMP.

SUMMARY:

Snohomish County Department of Emergency Management recently notified the City of the requirement to update the City's Hazard Mitigation Plan. The current plan will expire in early 2010. The county and Snohomish cities have less than a year to complete the update.

The Snohomish County Department of Emergency Management received a grant to assist with consultant time to review existing plans and make necessary changes. This would be Sultan's opportunity to review its adopted NHMP and make any updates based on new information or changed conditions.

This project was not anticipated and staff resources have not been allocated to updating the NHMP. The public works director and police chief will need to work together with Snohomish County and Fire District 5 to review and update the City's NHMP. Due to the required deadline other city priorities may be delayed to complete the update within the short time-frame.

Fire Chief Merlin Halverson has been appointed a member of the County's NHMP Steering Committee.

I. Disaster Mitigation Act Overview

The Disaster Mitigation Act (PL 106-390, 10/30/2000) establishes a pre-disaster hazard mitigation program and new requirements of the national post-disaster Hazard Mitigation Grant Program (HMGP).

The Act encourages local governments to establish plans to reduce or eliminate long-term risk and vulnerability to natural hazards, as a prerequisite for receiving funds through the post-disaster Hazard Mitigation Grant Program. Mitigation plans support emergency management, as the plans set a course for responsive recovery.

New requirements redefine local government to include a broader group beyond traditional municipalities, counties and tribes; and this broader group includes all entities such as fire and library districts with taxing authority.

II. Plan Update Requirements

The original plan adopted by the county and Snohomish cities in 2004 will expire in April 2010. The cities and County have about 12 months to complete the update; although considering time for reviews, there is really 8 months to do the work.

The county wants to maintain the plan in good standing and not let it expire. The plan helps the county and its' planning partners qualify for federal aid and also supports the National Flood Insurance Program's Community Rating System, which provides a discount on flood insurance premiums.

The tasks that need to be completed are outlined in the handout, "Local Hazard Mitigation Plan, FEMA-Specified Plan Update Requirements."

A key task is to complete a new risk assessment, using the new DFIRMs. The county's consultants will be working on this new risk assessment, known as the Hazard Inventory Vulnerability Assessment (HIVA.) Snohomish County currently has a stand-alone HIVA, developed over five years ago by the University of Washington.

The new risk assessment will require a new public process, to show how the new flood losses and recent wind and snow events are factored into the new plan. Also, the county needs to re-evaluate risk of tsunamis now that the state mapping is available.

III. Funding

The county was awarded a grant to update the NHMP. The county should receive the money in late June-August 2009.

The grant award will allow the county and the planning partners to update the plan including (1) elevation projects that would prepare county records for the upcoming Community Rating System (CRS) Re-Verification audit by FEMA, and (2) a relatively comprehensive risk assessment that incorporates the latest technology and recent county data.

IV. Steering Committee Organization

At a meeting in April, the county discussed reestablishing the Steering Committee, which includes filling all the positions. The original plan was developed with a 13-member steering committee. The representation was as follows:

- City, fire chief
- City, police commander
- City, engineer
- Snohomish County Director of Public Works
- Snohomish County Emergency Management Coordinator
- University of Washington Director of Institute for Hazard Mitigation and Planning
- Floodplain property owner
- Floodplain Business (Agriculture)/property owner
- Representative from Insurance Brokerage
- Representative from utility
- Flood Control District Representative
- Cascade Land Conservancy Representative
- Department of Ecology Floodplain Management Specialist

Brad Feilberg of the City of Monroe (city-engineer position), and Merlin Halverson of Snohomish County Fire District No. 5 in Sultan (city-fire chief position), volunteered to co-chair the Steering Committee.

Public Works Director Steve Thomsen reaffirmed his support; stating that either he, or County Engineer Owen Carter, would attend the Steering Committee Meetings.

Jeanne Moen of Snohomish County PUD volunteered to fill the utility company position.

Neil Wheeler will represent Flood Control Districts. Neil is Chairman of the Coordinated Diking District Commission, as well as District Manager of the French Slough Flood Control District.

Members expressed interest in getting one of the three hospital districts (Cascade, Monroe and Stevens) on board; as well as a representative from the Stillaguamish tribe, whose community settled along the Stillaguamish River. The Committee also needs a representative from the Department of Ecology, to replace Chuck Steele, who is unable to continue to serve.

Steering Committee positions can be shifted, to incorporate representatives from other key groups and potentially not continue with a group that was not able to actively participate in the original plan.

V. Planning Partner Expectations

Each planning partner must sign a commitment letter and provide a point of contact.

VI. Action Items

Key actions the Steering Committee needs to accomplish immediately include:

1. Filling the Steering Committee positions, and distributing the complete Steering Committee contact information to the planning partners
2. Completing a contract between the county and Tetra Tech for planning the course and products and production of a completely updated NHMP that will be accepted by FEMA

DISCUSSION:

Updating the Natural Hazard Mitigation Plan is an unfunded mandate. Updating the NHMP by the April 2010 deadline is directly tied to FEMA grant eligibility. The City must find the staff resources to devote to updating the NHMP by the deadline.

The City must carefully consider changes to the plan to ensure eligibility for future grants and support for public safety improvements such as siren warning systems and evacuation routes.

FISCAL IMPACT:

Depending on the level of grant funding available to cities, Sultan may need additional support. The majority of work can be done in-house using existing staff resources. Other projects may be delayed.

ALTERNATIVES:

1. Review the information on the schedule and staff effort to review and update the Natural Hazard Mitigation Plan (NHMP) adopted by the City in 2004. Direct staff to begin working with Snohomish County to update the NHMP.
2. Review the information. Identify areas of concern. Do not direct staff to begin working with Snohomish County to update the NHMP.

RECOMMENDED ACTION:

Review the information on the schedule and staff effort to review and update the Natural Hazard Mitigation Plan (NHMP) adopted by the City in xxx. Direct staff to begin working with Snohomish County to update the NHMP.

ATTACHMENTS:

- A – Sultan 2004 NHMP Introduction
- B - Local Hazard Mitigation Plan Guidelines

COUNCIL ACTION:

DATE:

**This Plan is dedicated
In Memory of**

DANIEL LOHR

Volunteer Firefighter

City Of Sultan

Killed while aiding in the emergency evacuation of flood victims

11-23-86

All disasters have a cost sometimes the price is just to high

City of Sultan Annex
Of
Snohomish County Natural Hazard Mitigation Plan
Executive Summary

1.0 Introduction

The City of Sultan received a \$50,000.00 grant to prepare a Natural Hazard Mitigation Plan. The City chose Craig Bruner, Building Official, to oversee this planning effort. The City found it to be in its best interest to hire a professional planning consultant. We posted a Request for Proposal (RFP) in two newspapers, selecting Tetra Tech, Inc. led by Robert Flaner, CFM for this planning project. In this planning process Tetra Tech used the best available information provided by the City, including the City of Sultan Comprehensive Plan, the Repetitive Flood Loss Plan, and the Comprehensive Flood Hazard Management Plan.

The City has formed a 5-member citizen advisory Sub-Committee to review and make comment on the City's plan. The Sub-Committee is made up of Sultan Police Chief Fred Walser, Sultan Fire Chief Merlin Halvorson, Sultan School District 311 Superintendent Al Robinson, business owner Brian Copple, and homeowner Bob Ostrom. The Sub-Committee has reviewed the draft City HIVA and has made recommendations toward mitigating the hazards.

In an effort to reduce cost and increase accuracy as well as consistency with Snohomish County the City of Sultan has joined with the County as a coalition-planning partner.

The Snohomish County Natural Hazard Mitigation Plan (SCNHMP) is a multi jurisdictional, natural hazard mitigation plan prepared pursuant to the requirements of the Disaster Mitigation Act (DMA), outlined in Section 201.6 of Chapter 44 of the Code of Federal Regulations. A coalition of 32 special purpose districts and 13 City/County planning partners worked together over a period of 12 months to prepare a proactive natural hazard mitigation plan that:

- Identified Hazards
- Assessed Risk and Vulnerability to those hazards
- Involved the public in all phases of the plans development
- Established uniform goals and objectives
- Created a catalog of mitigation alternatives
- Identified capabilities
- Created a mitigation action plan for each partner
- Prioritized that action plan, taking into account costs vs. benefits
- Created a strategy for review and updating the plan

The City of Sultan Sub-Committee has reviewed the HIVA, and discussed the hazards found in Snohomish County and those found in the City. The Sub-Committee reached the conclusion that certain natural hazards were not a significant risk in the City at this time: Including.

1. Avalanche
2. Tsunami
3. Wild Land Fire
4. Technological and Societal
5. Societal Hazards; Terrorism, Epidemic and Civil unrest

The sub-Committee felt it to be in the City's best interest to focus our limited resources on the hazards that have caused damage in the past, or pose a significant threat in the future, or has the potential to create catastrophic damage.

1. Earthquakes
2. Hazardous Materials
3. Landslides
4. Flooding
5. Severe Storms
6. Volcano

The Sub-Committee has reviewed our current mitigation approaches including public information activities (getting the message to the public) our warning system; including siren with public address system, our twice yearly evacuation drills (we activate the siren, set up our emergency operations center (EOC), and evacuate the entire student body 1,817 students to high ground). As well as our cable television channel, our internet web page with warnings and links to other web sites, our newsletter and flyers. We also keep a complete set of Flood Insurance Rate Map's (FIRM's) along with Flood Insurance Study's and a duplicate copy of all FEMA publications sent to the City in our local library.

The City's damage reduction activities; including requiring seismic retrofitting as a condition of occupancy, and our higher regulatory standards found in our flood plain regulations, and our storm water management standards which includes erosion control, and our acquisition of repetitive flood loss property. The City also has adopted higher building and fire code standards regarding sprinkler systems in relation to the occupancy group, building type, and square footage of the building. The topography mapping of the city at two foot intervals, overlaying the FIRM onto the topography map. Mapping the flood zone of Wagley Creek (using topography map and best available information). The mapping of the unnumbered A Zone in the central part of the city to establish Base Flood Elevations (using topography map, information from Army Corps of Engineers, flood insurance rate study, local historical knowledge, as best available information). The water depth mapping showing water depth in relation to ground elevation to Base Flood Elevation. Mapping of the open space and parks in the city. Map showing property's that has Letters of Map Amendments (LOMA's). The seismic/soil type mapping.

2.0 Identified Hazards in Snohomish County and the City of Sultan

One of the first phases in the development of SCNHP and the City of Sultan plan was to create a Hazard Inventory and Vulnerability Analysis (HIVA). Working with the University of Washington's Institute for Hazard Mitigation Planning and Research, a "state of the art" emergency management-planning tool was created that will become the foundation for the emergency/disaster management cycle (response, recovery, preparedness and mitigation) for Snohomish County and the City. The University of Washington's Institute for Hazard Mitigation Planning and Research also provided training in the use of this GIS base tool (Arc-View 8.2).

Hazard identification is the systematic use of all available information to determine what types of disasters may affect a jurisdiction, how often these events can occur, and the potential severity of their consequences. Vulnerability analysis refers to the process used to determine the impact these events and their collateral effects on the people, property, environment, economy and lands of a region. This document provides information associated with all possible disaster events in Snohomish County and the City. The processes of hazard identification and vulnerability analysis serve as a foundation for the development of strategies to deal with particular emergencies, for allocating resources, and for helping set priorities and standards in ensuring the safety of the public. This document will help to make an important first step toward a city that is as resilient as possible, covering each of the hazards affecting Snohomish County and the City. The hazards include:

- Natural Hazards
- Avalanche
- Earthquakes
- Flooding
- Mass Movements
- Severe Weather
- Tsunami and Seiche
- Volcano
- Wild land Fire
- Technological and Societal

- Dam Failure
- Hazardous Materials

- Societal Terrorism, Epidemic
Civil unrest

The HIVA defines each hazard, assesses the risk the hazard poses to Snohomish County and the City. It then provides suggestions of long-term mitigation actions the City should consider to reduce loss in the event of a hazard event and can be found in Section II of Volume 1 of the SCNHMP. Of the listed hazards in Snohomish County the City has identified Flooding, Landslides, Earthquake, Hazardous Materials, Severe Weather, Dam Failure, and Volcano. Not all hazards found in Snohomish County are also found in the City of Sultan to any significant degree and will not be addressed in this plan at this time. The City will review this plan in conjunction with the City of Sultan Comprehensive Plan and may include any or all of the hazards found in Snohomish County at some future time.

3.0 The Planning Process

Led by Snohomish County Department of Public Works, Surface Water Management (SWM) and Snohomish County Department of Emergency Management (DEM), a coalition of 45 planning partners (see Table 1.0) was assembled that committed towards a common goal. That goal was to work together, pool resources and to create a proactive natural hazard mitigation plan that would provide DMA eligibility to each and every partner. The County also wanted to prepare a plan that would make the County eligible to participate in the Community Rating System (CRS).

Once the Coalition partnership was identified, each partner was given an "expectations" document that outlined the participation requirements for each partner. Each partner was also asked to submit a "Letter of intent to participate", thus solidifying the commitment to the process. A scope of work was prepared following the CRS template. A Steering Committee with representation from the Coalition and other Stakeholders within the County was formed that would oversee the work plan and the plans development from start to finish (See Table 2.0). All Coalition members and the Snohomish County Board of Commissioners confirmed the positions on the Committee. The Steering Committee met monthly starting in September of 2003 through the plan's completion following agenda

Coalition Partners	
City of Arlington	Snohomish Co. Fire District #19
City of Darrington	Snohomish Co. Fire District #21
City of Gold Bar	Snohomish Co. Fire District #24
City of Granite Falls	Snohomish Co. Fire District #25
Town of Index	Snohomish Co. Fire District #26
City of Lake Stevens	Snohomish Co. Fire District #27
City of Marysville	Snohomish Co. Fire District #28
City of Monroe	Alderwood Water District
City of Mukilteo	Cross Valley Water District
City of Snohomish	Highland Water District
Snohomish County	Mukilteo Water District
City of Stanwood	Silver Lake Water District
City of Sultan	Darrington School District
Snohomish Co. Fire District #1	Monroe School District # 103
Snohomish Co. Fire District #3	Northshore Parks and Recreation District
Snohomish Co. Fire District #4	Sultan School District #311
Snohomish Co. Fire District #5	Olympus Terrace Sewer District
Snohomish Co. Fire District #7	Dike District #2
Snohomish Co. Fire District #12	Marshland Flood Control District
Snohomish Co. Fire District #14	Stillaguamish Flood Control District
Snohomish Co. Fire District #17	French Slough Flood Control District

SCNHMP Steering Committee		
Name	Agency	Representing
Mike Ganz (Chair)	City of Arlington Fire District	All Coalition Partners
Russell Harris (Vice-Chair)	City of Mukilteo	Partner/ Cities
Brad Feilberg	City of Monroe	Partner/ Cities
Peggy Bill	Cascade Land Conservancy	Stakeholder
Elaine Babby	Puget Sound Energy	Stakeholder
Dave Clark	Citizen	Floodplain Property Owner
Tim/Nancy Frohning	Citizen	Floodplain Property Owner
Scott Thomas	Stanwood Chamber of Commerce	Stakeholder
John Misich	Marshland Diking District	Partner/Special District
Peter Hahn	Snohomish County Department of Public Works	Partner/County
Mike McCallister	Snohomish County Department of Emergency Management	Stakeholder
Bob Freitag	University of Washington Institute for Hazard Mitigation Planning	Academia
Chuck Steele	WA Department of Ecology	State Agencies

Table 2.0

items directed by the scope of work. Notices of these meetings were posted on a County sponsored website specifically set up for the SCNHMP. These meetings were open to the public.

3.1 Public Involvement Strategy

One of the true benefits to multi-jurisdictional planning is the ability to pool resources, which eliminates redundant activities within a planning area that can occur when everyone plans individually. With this in mind, the first action item for the Steering Committee was to develop a public involvement strategy that would apply to the whole. The goals identified for this strategy were:

- ✓ Identify the public's perception of risk and vulnerability to natural hazards.
- ✓ Gauge the public's support of mitigation alternatives.
- ✓ Provide the public with multiple opportunities to comment.
- ✓ Identify problems.
- ✓ Share the results of the HIVA.
- ✓ Keep them informed of the plans progress.

The Steering Committee established a multi-media based strategy that would include: phased press releases on the plan development, establishment of an "interactive" website dedicated solely to the plan (www.co.snohomish.wa.us/publicwk/swm/hazardplan/). Open houses at the beginning and end of the process, and the development of a natural hazards questionnaire to be disseminated by mail, at the open houses and on-line. The success of this strategy far exceeded expectations (see Table 3.0). Coordination with other agencies such as FEMA Region X, Washington Emergency Management, and neighboring counties occurred throughout this phase. All identified agencies were invited to participate in all phases of the public involvement strategy. All results obtained from the public involvement strategy are reviewed in Section I.4 of Volume 1 of the SCNHMP. In summary, the results of the public information strategy were utilized in the development of the following:

- ✓ Guiding Principle for the plan.
- ✓ Goals.
- ✓ Objectives.
- ✓ Catalog of mitigation alternatives.

Public Involvement Strategy Milestones			
Event	Date	Purpose	Result
Steering Committee Formation	11/10/2003	To guide development of SCNHMP	Committee makeup included citizens and stakeholders within the planning area.
Press release #1	12/5/2003	Get the word out about the planning process	Published in 2 local papers, and website
Target mailing of Open House/Questionnaire announcement	1/23/2004	Advise the public of the opportunity to comment on process via the Open Houses or questionnaire. Also advertise the website	4000 mailed based on mailing list created with input from each Coalition partner to assure true canvas of entire planning area. Approximately 500 announcements were disseminated in the City of Sultan.
Press release #2	1/26/2004	Advise public of open houses and questionnaire	Published in 2 local papers, and website
Public Open House #1 (Arlington)	1/27/2004	Present draft HIVA to Public, gauge perception of risk, solicit input on mitigation options in Northern half of the County	59 attendees 15 questionnaire completed 11 comment forms submitted
Public Open House #2 (Monroe)	1/29/2004	Present draft HIVA to Public, gauge perception of risk, solicit input on mitigation options in southern half of the County	42 attendees 15 questionnaires completed 9 comment forms submitted 3 documented residents from Sultan attended.
Mass mail of Questionnaire	2/2/2004	To give public opportunity to provide input on key elements	4000 surveys mailed 604 questionnaires returned

		of the plan. Questionnaire was also posted on website during same time frame.	(15% return rate)
SWOO Session Strengths Weaknesses Obstacles Opportunities	3/2/2004	Mitigation alternative brainstorming session	All Coalition partners, Stakeholders, and public were invited to attend session that would be the basis for the mitigation catalog.
Table 3.0			
Event	Date	Purpose	Result
Mitigation Catalog Posted on the website	5/24/2004	Give public opportunity to see the mitigation alternatives that would be reviewed by hazard.	No measurable results identified
Draft plan Open House #1	Late September/Early October	Give public in northern half of the County opportunity to comment on draft plan	TBD
Draft plan Open House #1	Late September/Early October	Give public in southern half of the County opportunity to comment on draft plan	TBD

Table 3.0

The City of Sultan presented the draft HIVA in an open public meeting that was held before the Planning Commission. Questions and comments were taken following the presentation. The City of Sultan also held open public meetings/workshops that encouraged public participation along with city council members and staff in the City of Sultan "SWOO" (**S**trengths, **W**eaknesses, **O**bstacles, and **O**pportunities) session held in the council chambers. The goals identified for this strategy were:

- ✓ Identify the public's perception of risk and vulnerability to natural hazards.
- ✓ Gauge the public's support of mitigation alternatives.
- ✓ Provide the public with multiple opportunities to comment.
- ✓ Identify problems.
- ✓ Share the results of the HIVA.

The open public meeting/workshop is also used to keep everyone informed of the plans progress and to gather information from the general public. The City used the probability of occurrence to determine the risk rating of each hazard shown in Table 0.1

The probability of occurrence of a hazard event provides an estimation of how often the event occurs. This is generally based on the past hazard events that have occurred in the area and the forecast of the event occurring in the future. Assigning a probability factor, which is based on yearly values of occurrence, does this. The numerical value assigned to each category was used to determine the risk rating of each hazard shows in the table. These values were assigned by high, medium, and low occurrence:

High - Hazard event is likely to occur within 25 years (Numerical value 3)

Medium – Hazard event is likely to occur within 100 years (Numerical value 2)

Low – Hazard event in not likely to occur within 100 years (Numerical value 1)

Table 0.1: Probability of Hazards

Hazard Event	Probability	Numerical Value
Flooding	High	3
Landslides	High	3

<i>Hazard Event</i>	<i>Probability</i>	<i>Numerical Value</i>
<i>Earthquake</i>	<i>Medium</i>	<i>2</i>
<i>Hazardous Materials</i>	<i>Medium</i>	<i>2</i>
<i>Severe Weather</i>	<i>Medium</i>	<i>2</i>
<i>Dam Failure</i>	<i>Low</i>	<i>1</i>
<i>Volcano</i>	<i>Low</i>	<i>1</i>

3.2 Guiding Principle, Goals and Objectives

Once a public involvement strategy was developed and implemented, the Steering Committee took the information gathered from that process along with the HIVA and identified goals and objectives for the SCNHMP. They identified a guiding principle for the plan that would uniformly apply to all Coalition Partners within the defined planning area. That principle is as follows:

Utilizing partnerships, use the best available science or existing data to evaluate natural hazard vulnerability as it impacts existing and/or future land use policies or regulations, and to protect the health, safety, welfare and economy of the community.

With this principle in mind, the Goals identified by the Steering Committee are:

Prevent natural hazard-related injury and loss of life.

Reduce property damage.

Promote a sustainable economy.

Maintain, enhance and restore the natural environments capacity to absorb and reduce the impacts of natural hazard events.

Increase public awareness and readiness for disasters.

Once the goals were established, a series of objectives were identified by the Steering Committee to further refine the scope and direction of the SCNHMP. The objectives and their applicable goals are illustrated in Table 4.0.

Goal #s	Objective#	Objective Statements
1,3	1	Eliminate or minimize disruption of local government operations caused by natural hazards.
1,2,3	2	Increase resilience of infrastructure.
2,3,4	3	Consider the impacts of natural hazards on future land uses in Snohomish County.
5,1	4	Reduce natural hazard-related risks and vulnerability to potentially isolated populations in Snohomish County.
1,2,3	5	Sustain reliable local emergency operations and facilities during and after a disaster.
2,3,4	6	Seek projects that minimize or mitigate their impact on the environment.
2,4	7	Consider open space land uses within identified high-hazard risk zones.
1,5	8	Improve systems that provide warning and emergency communications.
2,3,5	9	Enhance understanding of natural hazards and the risk they pose.

Goal #s)	Objective#	Objective Statements
1,2,5	10	Educate the public on the risk from and preparedness for natural hazards and ways to mitigate their impacts.
2,4	11	Seek mitigation projects that provide the highest degree of natural hazards protection at the least cost.
1,2,	12	Minimize the impacts of natural hazards on current and future land uses by providing incentives for hazard mitigation.
1,2,3,4	13	Support agricultural preservation within context of floodplain management.
1,2,3,4	14	Retrofit, purchase, or relocate structures in high hazard areas including those known to be repetitively damaged.

Table 4.0

3.3 Mitigation Catalog

The next step in the planning process was the development of a catalog of mitigation alternatives. Utilizing information gathered via the public involvement strategy, the HIVA, and a "SWOO" (Strengths, Weaknesses, Obstacles, and Opportunities) brainstorming session, this document's purpose was to represent a canvas of mitigation alternatives and strategies that were consistent with the goals and objectives established by the Steering Committee. This catalog would be used by the Coalition partners in the preparation of their individual templates for their jurisdiction. The catalog was laid out by hazard and broken down into four categories.

- ✓ Alternatives that manipulate the hazard.
- ✓ Alternatives that reduce exposure.
- ✓ Alternatives that reduce vulnerability.
- ✓ Alternatives that increase capability.

Each partner was not bound to the alternatives listed in the catalog. The catalog's intent was to give each partner a starting point that would spur the thought process, and hopefully lead to progressive ideas applicable to each jurisdiction. The mitigation catalog in its entirety can be found Appendix F of Volume 1 of the SCNHMP.

4.0 Coalition Partner Participation Requirements

Section 201.6.a(4) of Chapter 44 of the Code of Federal Regulations (44CFR) states:

"Multi-jurisdictional plans (e.g. watershed plans) may be accepted, as appropriate, as long as each jurisdiction has participated in the process and has officially adopted the plan".

It is the position of both FEMA Region X and Washington Emergency Management Division to encourage multi-jurisdictional planning. With this fact in mind, the Snohomish County Coalition was formed to position itself for the best possible chance to receive grant funding for the process. One of the first action items for the Steering Committee to address was to define "participation" for the partnership. Section 201.6 of 44CFR does not go into detail about what is required as far as participation in multi-jurisdictional planning. The Steering Committee felt it was important to define "participation" for the Snohomish County effort due to the size of the Coalition. There are 2 types of planning partners in this process with two totally different types of needs and capabilities. These partner types are:

- 1) Cities and the County.
- 2) Special Purpose Districts.

Participation requirements were established for both types of partners.

4.1 City/County Partners

The initial Snohomish County Coalition included only 13 partners. It was initially decided that the planning area for this effort would be consistent with the jurisdictional boundary of the Snohomish County Department of Emergency Management (DEM) and include only those jurisdictions with "permit authority". Since there was another hazard mitigation planning effort

going on in the south portion of the county, and these areas were not a part of the DEM jurisdictional boundary, the incorporated areas within southern Snohomish County were not included in this effort.

An initial "kick-off" meeting was held on August 15, 2003 in the City of Sultan with the potential planning partners to provide an overview of the proposed process and to outline the expectations of each planning partner. At this meeting each potential partner was asked to provide a "letter of intent to participate" in the process. Letters were received from 12 Cities (see Table 1.0). The County did not need to provide a letter because they were leading the effort.

The 2nd Coalition Partner meeting was held on October 6, 2003 in Everett to discuss the formation of the Steering Committee. During this meeting, the Coalition reached consensus on three points:

- 1) A Steering Committee should be formed to oversee the process.
- 2) The Coalition Partnership would be represented by three seats on a 13 member Steering Committee that represents the partnership and other stakeholders within the planning area. The Coalition Partnership would confirm the three seats.
- 3) The Steering Committee would establish the Coalition Partner expectations.

Snohomish County Council confirmed a 13-member Steering Committee on October 21, 2003. The Steering Committee approved the Coalition Partner Expectations document that included participation requirements on February 12, 2004. A summary of the City/County partner requirements is as follows:

- 1) Support the Steering Committee and its actions.
- 2) Support the public involvement strategy approved by the Steering Committee.
- 3) Attend a minimum of one workshop to be held for the specific partner type during the planning process.
- 4) Complete the City/County template.
- 5) Hold at least one public meeting to present jurisdiction specific action items to the public no later than two weeks prior to submittal of plan to governing body for adoption.
- 6) Adopt Volume 1 of the SCNHMP in its entirety and its jurisdictional annex in Volume 2.
- 7) Implement, evaluate and revise the jurisdictional specific plan element based on the schedule proposed by the Steering Committee.

4.2 Special District Partners

Based on a recommendation from Washington Department of Emergency Management Division personnel on March 4, 2004, the Steering Committee agreed to expand the Coalition partnership to include special purpose districts in the planning effort. 58 Special Purpose Districts were identified within the planning area that could be eligible local governments as defined under Section 201.2 of 44CFR. An invitation letter was sent to all 58 districts on March 31, 2004 that explained the DMA, the Snohomish County Coalition planning effort, and invited their district to participate. Interested districts were asked to provide a letter of intent to participate by April 9, 2004. 32 letters were received by the deadline.

As was done with the partner cities, the Steering committee defined participation requirements for the special purpose districts. These requirements were defined as follows:

- 1) Support the Steering Committee and its actions.

- 1) Mandatory attendance to two workshops. One workshop to be held to go over completion of the Special District Template. A second workshop to review the draft plan in its entirety.
- 2) Complete the Special Purpose District template.
- 3) Hold at least one public meeting to present jurisdiction specific action items to the public no later than two weeks prior to submittal of plan to governing body for adoption.
- 4) Adopt Volume 1 of the SCNHMP in its entirety and its jurisdictional annex in Volume 2.
- 5) Implement, evaluate and revise the jurisdictional specific plan element based on the schedule proposed by the Steering Committee.

1.1 The City of Sultan's Participation

The City of Sultan provided its letter of intent to participate in the SCNHMP process on August 18, 2003. Sultan actively supported the process and the Steering Committee from its inception and has met or exceeded the participation requirements established by the Steering Committee. A summary of Sultan's Participation in the process can be found in Table 5.0. It should be noted that participation requirements # 5, 6 and 7 would be accomplished after draft SCNHMP has been submitted to WAEMD and FEMA Region X for a pre-adoption review and approval.

The City of Sultan SCNHMP Process Participation			
Milestone	Date	Representative	Participation Requirement
Coalition Partner "Kick-off" meeting	8/15/2004	Craig Bruner	3
Coalition Partner meeting #2	10/6/2004	Craig Bruner	3
Steering Committee meeting #1	12/9/2003	Craig Bruner	1
Public open house #2	1/29/2004	Craig Bruner	2
Coalition Partner meeting #3	2/11/2004	Craig Bruner	3
SWOO Session	3/2/2004	Craig Bruner	1,2,3
Steering Committee meeting # 6	5/13/2004	Craig Bruner	1
Steering Committee meeting #7	6/10/2004	Craig Bruner	1
Complete City of Sultan Template	7/14/2004	Craig Bruner	4

Table 5.0

2.0 Plan Maintenance

Pursuant to Section 201.6.c.4 of 44CFR, the plan shall include a plan maintenance process. The Snohomish County Coalition and the Steering Committee will maintain the SCNHMP according to the following protocol:

- ✓ The Steering Committee concept will remain intact and meet annually to review progress of the plan.
- ✓ An annual progress report will be prepared on those Countywide initiatives identified in the SCNHMP, and for those partners that wish or need to have a progress report for other programs such as the Community System.
- ✓ Maintain the current SCNHMP website such that the public can follow and comment of SCNHMP achievements.
- ✓ Utilize the SCNHMP and its findings/recommendations in other on-going planning activities within the planning area.
- ✓ Commit to updating the SCNHMP on a 5-year cycle starting from the date of adoption.
- ✓ DEM will assist in plan maintenance by helping to keep the Coalition intact by assisting and coordinating grant applications, training, risk assessment, and public outreach.

A detailed description of the plan maintenance process can be found in Section 1.7 of Volume 1 of the SCNHMP.

The City of Sultan shall participate as a Snohomish County Coalition planning partner. We shall use SCNHMP as a planning tool for the Sultan Annex of the plan. At a minimum, the City shall review the annex in conjunction with the City of Sultan Comprehensive plan, and may revise this plan yearly if necessary. Also the City shall resubmit its Natural Hazard Mitigation Plan to Washington State Emergency Management Division and to the Federal Emergency Management Agency for approval prior to the 5-year update.

The plan maintenance process shall include a plan review by City staff, and the public safety committee as well as the City of Sultan Natural Hazard Mitigation sub-committee. Then the sub-committee shall hold a public workshop before the planning commission. This plan maintenance shall be completed including approval of the plan by Washington State Emergency Management Division and to the Federal Emergency Management Agency prior to July 1st. This plan shall be considered in the 2005 comprehensive plan amendments.

LOCAL MULTI-HAZARD MITIGATION PLANNING GUIDANCE

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LOCAL MITIGATION PLAN REVIEW CROSSWALK.....A-1

PURPOSE

Hazard mitigation is any sustained action taken to reduce or eliminate the long-term risk to human life and property from hazards. Mitigation activities may be implemented prior to, during, or after an incident. However, it has been demonstrated that hazard mitigation is most effective when based on an inclusive, comprehensive, long-term plan that is developed before a disaster occurs.

This publication is one of three guidance documents on implementing the Federal Emergency Management Agency's (FEMA) Mitigation Planning regulations under Code of Federal Regulations (CFR), Title 44, Part 201. Separate documents are available for the *State Multi-Hazard Mitigation Planning Guidance* (Standard and Enhanced, 44 CFR §201.4 and §201.5) and *Tribal Multi-Hazard Mitigation Planning Guidance* (44 CFR §201.7).

The purpose of this *Local Multi-Hazard Mitigation Planning Guidance* is to provide guidance to local governments to meet the requirements of 44 CFR §201.6, *Local Mitigation Plans*. This *Local Multi-Hazard Mitigation Planning Guidance* was designed with three major objectives:

- To help local jurisdictions develop and adopt new mitigation plans or revise existing mitigation plans to meet the requirements of 44 CFR Part 201;
- To help Federal and State reviewers evaluate mitigation plans from different jurisdictions in a fair and consistent manner; and
- To help local jurisdictions conduct comprehensive reviews and prepare updates to their plans to meet the requirements of 44 CFR Part 201.

This *Local Multi-Hazard Mitigation Planning Guidance*, as interpretation and explanation for the Local Mitigation Plan regulations at 44 CFR Part 201, is FEMA's official source for defining the requirements of original and updated Local Mitigation Plans. It includes references to specific language in 44 CFR Part 201 and descriptions of the relevant requirement to meet the mitigation planning requirements.

This guidance addresses Local Mitigation Plan requirements for local governments, which are defined at 44 CFR §201.2 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, or Alaska Native village or organization; and any rural community, unincorporated town or village, or other public entity.

INTRODUCTION

Authorities

Section 322 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), 42 U.S.C. 5165, as amended by the Disaster Mitigation Act of 2000 (DMA) (P.L. 106-390), provides for States, Tribes, and local governments to undertake a risk-based approach to reducing risks to natural hazards through mitigation planning. The National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4001 *et seq*, reinforced the need and requirement for mitigation plans, linking flood mitigation assistance programs to State, Tribal and Local Mitigation Plans.

FEMA has implemented the various hazard mitigation planning provisions through regulations at 44 CFR Part 201. These reflect the need for States, Tribal, and local governments to closely coordinate mitigation planning and implementation efforts, and describes the requirement for a State Mitigation Plan as a condition of pre- and post-disaster assistance, as well as the mitigation plan requirement for local and Tribal governments as a condition of receiving FEMA hazard mitigation assistance.

The regulations governing the mitigation planning requirements for local mitigation plans are published under 44 CFR §201.6. Under 44 CFR §201.6, local governments must have a FEMA-approved Local Mitigation Plan in order to apply for and/or receive project grants under the following hazard mitigation assistance programs:

- Hazard Mitigation Grant Program (HMGP)
- Pre-Disaster Mitigation (PDM)
- Flood Mitigation Assistance (FMA)
- Severe Repetitive Loss (SRL)

FEMA may require a Local Mitigation Plan under the Repetitive Flood Claims (RFC) program, at which time this policy will apply to those governments that apply for and/or receive assistance under the RFC program as well.

Special Consideration: Extraordinary Circumstances

Under 44 CFR §201.6 (a)(3), FEMA Regional Administrators may grant an exception to the Local Mitigation Plan requirement in extraordinary circumstances, such as in a small and impoverished community, when justification is provided. In these cases, a plan must be completed within 12 months of award of the project grant.

Key Concepts

Several key concepts are reflected throughout the mitigation planning regulations at 44 CFR Part 201, and are reflected in each of the State, Tribal and Local Mitigation Plan requirements and corresponding guidance. The most successful of mitigation plans — where practical, meaningful mitigation actions resulted — have two common elements:

- Comprehensive risk and capability assessments that form a solid foundation for decision making; and
- Participation by a wide range of stakeholders who play a role in identifying and implementing mitigation actions.

The mitigation plan requirements in 44 CFR Part 201 emphasize greater interaction between State and local mitigation activities, and highlight the need for improved linkage between State and Local Mitigation Plans. Under 44 CFR §201.4(c)(4), States are required to coordinate mitigation planning with Indian Tribal and local jurisdictions, and document funding and technical assistance they will provide to these jurisdictions. The information contained in Local Mitigation Plans is also useful for States developing their State Mitigation Plans. That is, States refer to Local Mitigation Plans to improve the level of detail and comprehensiveness of statewide risk assessments and coordinate State hazard mitigation goals and objectives with local goals and objectives. Similarly, local governments may refer to their State's mitigation plan where information may be useful for local mitigation strategy development.

FEMA also has a continuing interest in streamlining the mitigation planning and implementation process. In hazard mitigation planning, as with most other planning efforts, the actual process of planning is as important as the plan itself. Therefore, FEMA considers the plan as the written record, or documentation, of the planning process. This is why some of the plan requirements ask for a "discussion" or "description" of a process or development of a planning product (such as goals, or hazard identification). The implementation of planned, pre-identified, cost-effective mitigation actions based on a sound hazard identification and assessment of risk will make a major contribution to such streamlining.

Special Considerations:

In reading the mitigation planning regulations at 44 CFR Part 201, an important distinction must be made between the words "shall" and "should." When the word "shall" is used, the requirement is mandatory – e.g., "The risk assessment *shall* include: A description of the type, location, and extent of all natural hazards that can affect the jurisdiction." If the plan does not include this description, it will not be approvable by FEMA. It should also be noted that the word "must" carries the same mandatory nature as the word "shall." For example, "The plan *must* be ... resubmitted for approval within five (5) years..." This is a mandatory requirement.

When the word "should" is used, the item is strongly recommended to be included in the plan, but its absence will not cause FEMA to disapprove the plan. For example, where the regulation says, "The plan *should* describe vulnerability in terms of ... the types and numbers of existing and future buildings ..." this information would make the plan more useful, but the plan could still be approved if it is not included (assuming the plan met all the mandatory requirements).

The use of the words "should," "shall" and "must" in the *Multi-Hazard Mitigation Planning Guidance* documents is consistent with the use of those words in mitigation planning regulations at 44 CFR Part 201. In the Plan Review Crosswalk, the "should" requirements are shaded as a reminder that they are not required for plan approval.

To emphasize the importance of the process, FEMA has taken, to the extent possible, a "performance standard," rather than a "prescriptive" approach to the planning requirements. This means that the requirements are designed to identify, generally, *what* should be done in the process and documented in the plan, rather than specify exactly *how* it should be done. This approach recognizes and appreciates the inherent differences that exist among State, Tribal, and local governments with respect to size, resources, capability, and vulnerability. It also enables the State, Tribal or local government the flexibility to integrate the mitigation plan into other daily and long-term planning initiatives and programs.

USING THE MITIGATION PLANNING GUIDANCE

Organization

The *Local Multi-Hazard Mitigation Planning Guidance* is divided into six sections following this Introduction:

- Prerequisites
- Planning Process
- Risk Assessment
- Mitigation Strategy
- Plan Maintenance
- Local Mitigation Plan Review Crosswalk

The first five sections contain the language of the mitigation planning regulations, an explanation clarifying the intent of the requirements, and references to a series of resources that address particular planning issues in more detail. The last section contains the Local Mitigation Plan Review Crosswalk for evaluating plans.

The regulation is published at 44 CFR Part 201. Language in brackets does not appear in the regulation, but has been added to provide the proper context. For example: “[*The plan must include*] a description of the planning process.” An ellipsis has been used to indicate that other phrases precede or follow the requirement language.

Plan Updates

The mitigation planning regulation at 44 CFR §201.6(d)(3) states:

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 five (5) years in order to continue to be eligible for mitigation project grant funding.

This *Local Multi-Hazard Mitigation Planning Guidance* describes elements of the five-year plan updates as required at 44 CFR §201.6(d)(3). The Local Mitigation Plan Review Crosswalk also reflects both new and updated plan submittals.

Local Mitigation Plan Review Crosswalk

This *Local Multi-Hazard Mitigation Planning Guidance* outlines a process for the review of Local Mitigation Plans based on the requirements described in the mitigation planning regulations under 44 CFR §201.6. The Local Mitigation Plan Review Crosswalk included in this document is an important tool in both the review and development of complete plans, as they mirror the requirements in the mitigation planning regulations at 44 CFR §201.6.

Special Considerations:

States may insert additional State mitigation planning requirements, tailoring the *Local Multi-Hazard Mitigation Planning Guidance* to account for State specific requirements. FEMA reviewers will not consider these additional State requirements in their evaluation nor disapprove a plan based on any additional information included in a plan.

PLAN SUBMITTAL AND REVIEW PROCEDURES

Plan Submittal Procedures

The mitigation planning regulations under 44 CFR Part 201 require that local jurisdictions submit mitigation plans to the State Hazard Mitigation Officer (SHMO) for initial review and coordination, with the State then forwarding the plans to FEMA for formal review and approval. Local mitigation plans should be submitted in an electronic format, either through email, or through the mail on CD/DVD. The following *recommended* submission approaches may also be helpful:

- States and communities should coordinate with each other to identify procedures and schedules that will facilitate State support of local mitigation planning efforts and initial review of Local Mitigation Plans.
- Local jurisdictions may share drafts of their entire plan, or at least the results of the risk assessment (because of the importance of the risk assessment to the quality of the overall plan), with the State well in advance of finalizing the plan. Early feedback from the State will let the jurisdiction know that it is on the right track, that additional material needs to be added, or that major revisions need to be made in time to develop and submit an approvable plan by established deadlines.
- Local jurisdictions are encouraged to submit a final draft of the mitigation plan to the State and FEMA for review **before** seeking formal adoption of the plan by the appropriate officials, agencies, or organizations. If FEMA determines that their plan is “approvable pending adoption” (*i.e.*, the plan meets all requirements except for the formal adoption and final submittal), the jurisdiction can then proceed with the adoption process, knowing the adopted plan will be approved. If FEMA determines the plan is not approvable, the responsible parties will be able to address deficiencies before taking the plan through adoption, therefore avoiding unnecessary delays in plan approval.
- Local jurisdictions should consult with their SHMO early enough to ensure that they will be able to obtain FEMA review and approval of their plans in time to meet established deadlines.

Plan Evaluation Methodology

As required at 44 CFR §201.6(d), Local Mitigation Plans must be submitted to the SHMO for initial review and coordination, and then the SHMO may submit the mitigation plan to the appropriate FEMA Regional Office for formal review and approval. FEMA reviewers document their evaluation of the plan using the Local Mitigation Plan Review Crosswalk.

Local Mitigation Plans are approved when they receive a “Satisfactory” for all requirements under 44 CFR §201.6. Except for prerequisites that are met before the plan can be approved, the reviewer evaluates requirements based on the following system:

- **N Needs Improvement:** The plan does not meet the minimum for the requirement. Reviewer’s comments are provided.
- **S Satisfactory:** The plan meets the minimum for the requirement. Reviewer’s comments are encouraged, but not required.

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The final, completed Local Mitigation Plan Review Crosswalk provides the local jurisdiction with:

- a determination for each requirement;
- FEMA reviewer comments for requirements that need improvement;
- FEMA reviewer "recommended revisions" that are not required but offer suggestions on areas to enhance the mitigation plan; and,
- a determination of whether the plan is approved by the State and FEMA.

In those cases where FEMA reviewers provided "recommended revisions", the plan update process provides an excellent opportunity to incorporate these recommendations into the revised plan. When FEMA reviews the updated plan, it will assess whether and how the plan addresses these recommendations, although it is not required that the plan does so.

Special Considerations:

The Local Mitigation Plan Review Crosswalk includes a column (second from left), "*Location in the Plan,*" that the State or jurisdiction submitting the plan can complete to assist reviewers in determining where in the plan the requirements are addressed. When reviewing plans, the evaluator may find it helpful to first read the plan and identify the appropriate sections that correspond to the Local Mitigation Plan requirements.

Plan Updates

The mitigation planning regulations at §201.6(d)(3) directs the update of Local Mitigation Plans:

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.

Local Mitigation Plans must be updated and resubmitted to FEMA for approval every five (5) years in order to continue eligibility for FEMA hazard mitigation assistance programs. Plan updates must demonstrate that progress has been made in the past 5 years for Local Mitigation Plans to fulfill commitments outlined in the previously approved plan. This involves a comprehensive review and update of each section of the Local Mitigation Plan and a discussion of the results of evaluation and monitoring activities detailed in the *Plan Maintenance* section of the previously approved plan. Plan updates may validate the information in the previously approved plan, or may involve a major plan rewrite. A plan update is NOT an annex to the previously approved plan; it stands on its own as a complete and current plan.

Local jurisdictions should develop a schedule that allows a plan update and approval to occur within 5 years from the last approval date. All jurisdictions should consider the time needed prior to the expiration of the Local Mitigation Plan. Sufficient time should be allotted for all activities up to and including adoption, such as:

- Application and award for mitigation planning grants (if applicable);
- Contracting for technical or professional services (if applicable);
- Review of mitigation plan;
- Planning process to develop the update;

INTRODUCTION

- State and/or FEMA reviews;
- Revising the updated plan, if necessary based on FEMA review comments; and
- Plan adoption procedures.

It should be noted that States could choose to establish a schedule for more frequent Local Mitigation Plan updates.

Indian Tribal Governments with Expiring Local Mitigation Plans

On October 31, 2007 FEMA published amendments to 44 CFR Part 201 at 72 Fed. Reg. 61720 that created a new type of hazard mitigation plan specific to Indian Tribal governments. Under 44 CFR §201.7(a), Indian Tribal governments with mitigation plans approved by FEMA on or before October 1, 2008, under §201.4 or §201.6 will continue to meet the planning requirements in order to be eligible for FEMA assistance. The approval timeframes for these State or Local Mitigation Plan types will continue to be recognized, and updates as Tribal Mitigation Plans will be required after the approved three years (for plans approved as State Mitigation Plans) or five years (for plans approved as Local Mitigation Plans).

All Indian Tribal governments with mitigation plans approved **after** October 1, 2008 must follow the criteria identified in 44 CFR §201.7, *Tribal Mitigation Plans* in order to be eligible for FEMA assistance. Tribal Mitigation Plans follow the criteria established in 44 CFR §201.7 as a condition of receiving non-emergency Stafford Act assistance as a *grantee*, and the Tribal Mitigation Plan also allows an Indian Tribal government to apply through the State as a *subgrantee* for any FEMA mitigation project grant (See the programs affected under the Authorities section). In addition, an Indian Tribal government may choose to address severe repetitive loss properties as a condition of receiving the reduced cost share for the FMA and SRL programs. Tribal Mitigation Plans approved under 44 CFR §201.7 will be approved for a period of five years.

Indian Tribal governments should consult with their FEMA Regional Office early to ensure that they will be able to obtain FEMA review and approval of their plans in time to meet established deadlines. The separate *Tribal Multi-Hazard Mitigation Planning Guidance* (44 CFR §201.7) document provides guidance for the development, adoption, review and update of Tribal Mitigation Plans.

Timeframe for Review

Once a final plan is submitted, the FEMA Regional Office will complete the review within 45 days from the day it is received, *whenever possible*. In the event that the plan is not approved, the FEMA Regional Office will provide comments on the areas that need improvement. FEMA will complete the review of each re-submittal of the Local Mitigation Plan within 45 days from the day it is received, whenever possible, as well.

PLANNING RESOURCES

Planning Guidance, Tools & Training

To help States, Tribes, and local governments better understand the mitigation planning requirements under 44 CFR Part 201, FEMA prepared the *Multi-Hazard Mitigation Planning Guidance under the Disaster Mitigation Act of 2000 (March 2004 with revisions November 2006, June 2007 & January 2008)*. This document, *Local Multi-Hazard Mitigation Planning Guidance*, supersedes that previous guidance document for all Local Mitigation Plan requirement under 44 CFR §201.6.

In addition to this document, FEMA provides a number of planning tools to assist localities in developing a comprehensive, multi-hazard approach to mitigation planning, and in preparing plans that will meet the mitigation planning requirements. These tools include:

- *State and Local Mitigation Planning How-to Guides* – intended to help States and communities plan and implement practical, meaningful hazard mitigation actions (FEMA 386-1 through -8); available on the FEMA Web site through http://www.fema.gov/plan/mitplanning/planning_resources.shtm#1.
- *Planning for a Sustainable Future* (FEMA 364) - provides guidance for integrating hazard mitigation and sustainable practices as part of pre- and post-disaster mitigation planning efforts; available on the FEMA Web site through http://www.fema.gov/plan/mitplanning/planning_resources.shtm#1.
- *Multi-Hazard Identification and Risk Assessment (MHIRA)*, available on the FEMA Web site at http://www.fema.gov/plan/prevent/fhm/ft_mhira.shtm.

These publications can be ordered through the FEMA Publications Warehouse at 800-480-2520 or online at FEMA's Information Resource Library <http://www.fema.gov/library/index.jsp>.

- *Mitigation Benefit Cost Analysis (BCA) Toolkit Compact Disc* includes all the FEMA BCA software, technical manuals, BCA training course documentation, and other supporting material and BCA guidance. The BCA Toolkit is available through FEMA's toll-free Benefit-Cost Analysis Technical Assistance Helpline: 1-866-222-3580 or e-mail: bchelpine@dhs.gov.
- *HAZUS-MH (Hazards U.S. – Multi- Hazard)*, a risk assessment software program, available to order on the FEMA Web site at <http://www.fema.gov/plan/prevent/hazus/>.
- *Community Rating System Coordinator's Manual (FIA-15/2007)*, available to order from NFIP/CRS PO Box 501016, Indianapolis, IN 46250-1016, or by email at NFIPCRS@ISO.COM, or for download at <http://training.fema.gov/EMIWeb/CRS/>.

In addition, FEMA's Emergency Management Institute (EMI) also provides mitigation training to help Federal, State, local, and tribal governments understand mitigation planning through its *Mitigation Planning Workshop for Local Governments* (G318) for the development and review of Local Mitigation Plans.

EMI's curriculum also includes training in BCA, NFIP, HAZUS, the National Hurricane Program and the National Earthquake Hazards Reduction Program. The curriculum includes training courses of varying lengths offered in residence, through field courses, and on-line training through the independent study program. Information on EMI's program can be obtained at <http://www.training.fema.gov/>.

Special Considerations:

Both the Stafford Act and the National Flood Insurance Act of 1968 specifically require mitigation planning for *natural hazards*, but not for manmade hazards. However, FEMA supports jurisdictions that choose to consider *technological and manmade hazards* in their respective mitigation plans. While it is true that a Local Mitigation Plan does not require manmade hazards to be addressed in order to be approved, the *Local Multi-Hazard Mitigation Planning Guidance* can be helpful in developing and evaluating plans that include these hazards as part of a comprehensive hazard mitigation strategy.

For more information on integrating technological and manmade hazards in mitigation plans, please See: *Integrating Manmade Hazards into Mitigation Planning* (FEMA 386-7); available at <http://www.fema.gov/plan/mitplanning/howto7.shtm>.

Funding for Plan Development

A Local Mitigation Plan as defined in 44 CFR §201.6 is required for local jurisdictions that elect to participate in FEMA hazard mitigation assistance programs as a subapplicant or subgrantee. The Stafford Act authorizes up to 7 percent of available HMGP funds for State, Tribal, or local mitigation planning purposes. Also, funds from the PDM program may be used to develop mitigation plans, and the FMA program provides annual grant funds for flood mitigation planning.

Funding for hazard mitigation planning may be available from other Federal agencies. For example, the National Oceanic and Atmospheric Administration's Coastal Zone Management (CZM) Program has funded coastal hazard mitigation activities, including planning.

The Local Mitigation Plan requirements encourage agencies at all levels, local residents, businesses, and the nonprofit sector to participate in the mitigation planning and implementation process. This broad public participation enables the development of mitigation actions that are supported by these various stakeholders and reflect the needs of the community. Private sector participation, in particular, may lead to identifying local funding that would not otherwise have been considered for mitigation activities.

FLOOD MITIGATION PLANNING

Flood Mitigation Plans

In order to be eligible for project funds under the Flood Mitigation Assistance (FMA) program authorized by the National Flood Insurance Act of 1968, as amended, communities are required under 44 CFR §79.6(d)(1) to have a mitigation plan that addresses flood hazards. Although communities are not required to have a multi-hazard mitigation plan for the FMA program, they are encouraged to consider all hazards that could impact their community. First, a multi-hazard risk assessment may reveal effects or relationships between different hazards. For example, hurricanes have a combination of flood and wind impacts. Second, addressing all hazards will allow a community to be eligible for a wider range of federal mitigation assistance programs.

On October 31, 2007 FEMA published amendments to the 44 CFR Part 201 at 72 Fed. Reg. 61720 to incorporate mitigation planning requirements for the FMA program. The amendments impacted 44 CFR §201.6, *Local Mitigation Plans*, as follows:

- Combined the Local Mitigation Plan requirement for all hazard mitigation assistance programs under 44 CFR §201.6 to include the FMA as well as the HMGP, PDM and SRL programs, thus eliminating duplicative mitigation plan regulations;
- Incorporated the requirement for communities with National Flood Insurance Program (NFIP) insured properties that have been repetitively damaged from floods to address such properties in their risk assessment and mitigation strategy; and
- Incorporated the requirement for communities that participate in the NFIP to include a strategy for continued compliance with the NFIP.

The *Local Multi-Hazard Mitigation Planning Guidance* includes these new requirements.

Community Rating System

The Community Rating System (CRS) is a part of the NFIP. When communities go beyond the NFIP's minimum standards for floodplain management and participate in the CRS, discounts may be available on flood insurance premiums for policy holders in those communities.

One of the activities that communities can take to improve their CRS rating (and subsequently lower premiums) is to develop a CRS plan. The CRS 10-step planning process is consistent with the multi-hazard planning regulations under 44 CFR Part 201. However, CRS provides additional points for activities that communities can take during their planning process that go above the minimum described below, thus possibly lowering insurance rates. At a minimum, an *approved* multi-hazard mitigation plan under 44 CFR Part 201 that addresses floods could qualify for CRS credit. Although communities are not required to participate in CRS in order to receive approval of a Local Mitigation Plan, FEMA encourages jurisdictions to integrate the CRS planning steps into their multi-hazard mitigation plans.

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Special Consideration: Communities interested in receiving CRS credit for their Local Mitigation Plan submit a separate review request to the ISO/ CRS Specialist. The ISO/CRS Specialist is an employee of the Insurance Services Office, Inc. (ISO). ISO works on behalf of FEMA and the insurance companies to review CRS applications, verify the communities' credit points, and perform program improvement tasks, including the review of plans for CRS credit.

The table below illustrates how the CRS 10-step planning process relates to the four phases of multi-hazard mitigation planning process. The *Local Multi-Hazard Mitigation Planning Guidance* also provides basic guidance on working toward increased CRS points by integrating the CRS 10-step planning process into the four phases of the multi-hazard mitigation plan. More detailed information can be found in Activity 510 of the CRS Coordinator's Manual or in CRS Example Plans which can be accessed on the web at <http://training.fema.gov/EMIWeb/CRS/>.

Mitigation Plan Requirements 44 CFR §201.6	CRS Planning Steps	CRS Maximum Points
Prerequisites		
201.6 (c)(5)	9. Adopt the plan	2
Phase 1: Planning Process		
201.6(c)(1)	1. Organize	10
201.6(c)(1)	2. Involve the Public	85
201.6(b) (2) & (3)	3. Coordinate	25
Phase 2: Risk Assessment		
201.6 (c)(2)(i)	4. Assess the hazard	20
201.6 (c)(2) (ii) & (iii)	5. Assess the problem	35
Phase 3: Mitigation Strategy		
201.6 (c)(3) (i)	6. Set Goals	2
201.6 (c)(3) (ii)	7. Review possible activities	30
201.6 (c)(3) (iii)	8. Draft an action plan	70
Phase 4: Plan Maintenance		
201.6 (c)(4)	10. Implement, evaluate, revise	15
Total:		294

MULTI-JURISDICTION & OTHER LOCAL ORGANIZATIONS

Section 201.2 of 44 CFR 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.

FEMA recognizes that local governance structures vary, and that the authority to implement mitigation strategies (e.g., land use planning and zoning, building code enforcement, infrastructure improvements, floodplain management, etc.) may not reside within a single governmental entity. In addition, certain FEMA hazard mitigation assistance programs accept applications from private, nonprofit organizations and other quasi-governmental entities that do not necessarily align with traditional geopolitical boundaries. To ensure these potential subapplicants to FEMA mitigation assistance programs meet the eligibility requirements for mitigation plans under 44 CFR §201.6, FEMA has identified procedures for several of these entities.

Multi-Jurisdictional Mitigation Plans

FEMA's Local Mitigation Plan requirements under 44 CFR §201.6 specifically identify criteria that allow for multi-jurisdictional mitigation plans. Many issues are better resolved by evaluating hazards more comprehensively by coordinating at the county, regional, or watershed level.

Although economy-of-scale efforts are apparent and encouraged with multi-jurisdictional plans, FEMA requires that all participating jurisdictions meet the requirements for mitigation plans identified in 44 CFR §201.6. While certain elements are common to all participating jurisdictions (e.g., planning process, hazards, goals, and maintenance), there are some elements that are unique to each participating jurisdiction, including:

- risks, where they differ from the general planning area;
- mitigation actions (actions must be identified for each jurisdiction);
- participation in the planning process (examples of participation include attending meetings, contributing research, data, or other information, commenting on drafts of the plan, etc.); and
- adoption (each jurisdiction must formally adopt the plan).

Universities

Under 44 CFR 201, a public college or university may be an active participant in a FEMA-approved State, Tribal or Local Mitigation Plan, or have an approved plan of their own that meets the requirements of 44 CFR §201.6 to be eligible for mitigation project grants.

If a college or university has fully participated in the development and review of a plan in accordance with 44 CFR §201.6(b), Documentation of the Planning Process, it is not necessary for them to approve/adopt the plan, as long as it is adopted by the appropriate State, Tribal or local government.

If a college or university chooses to develop their own plan, adoption of the plan can be accomplished through a resolution or letter from the institution President, Board of Directors or recognized governing body.

In a large and complex State university system, there may be several component universities, each with multiple campuses, extension offices, and other sites. The various universities may be subject to different risks, and each individual university may be best served by developing a stand-alone, single-jurisdiction plan, or be a participant in the planning process for their local government. However, the State university system's Board of Regents or other top-level entity may determine that the State would be best served if planning for all of its component institutions and campuses were coordinated at the highest possible level in order to facilitate capital improvement planning. In such a case, the top-level entity could develop a multi-jurisdictional plan to which the participating component institutions would then be signatories. Regardless of whether planning is distributed or centralized, however, the plans developed will be Local Mitigation Plans, not State Mitigation Plans, even if they are developed by and for State institutions.

Similarly, private institutions may opt to participate in local or regional multi-jurisdictional plans, or they may develop plans of their own. Either way, the key to success is to ensure that all of the requirements established by regulation are met. This includes coordinating the planning activities of each campus with those of the surrounding community and, in the case of a multi-institution plan, ensuring that each institution's unique risks are addressed in addition to those risks affecting the entire university system.

School Districts

School districts or independent school districts, or other special districts are defined as local governments at 44 CFR Part 201.2, and are therefore required to have a FEMA-approved local mitigation plan to be eligible for project grants under FEMA hazard mitigation assistance programs. A school district may also demonstrate their participation as a separate government entity in another local government's approved mitigation plan to be eligible for project grants under FEMA hazard mitigation assistance programs.

School districts do not fall under the definition of private nonprofit organizations (See the definition of private nonprofit organization under the Private Nonprofit (PNP) Organizations section below.)

Private Nonprofit (PNP) Organizations

Private nonprofit organizations are not considered governmental entities. This distinction is important, because current regulations under 44 CFR Part 201 provide only for governments (State, Tribal or Local), not PNPs, to meet the planning requirement for having a FEMA-approved Mitigation Plan in order to receive project grant funds. For mitigation planning purposes, PNPs are defined consistently with 44 CFR 206.2(a)(19) as:

Any nongovernmental agency or entity that currently has: (i) An effective ruling letter from the U.S. Internal Revenue Service granting tax exemption under section 501 (c), (d), or (e) of the Internal Revenue Code of 1954; or (ii) Satisfactory evidence from the

State that the organization or entity is a nonprofit one organized or doing business under State law.

Under HMGP regulations at 206.434(a)(1), certain PNPs are eligible subapplicants; however, in those cases, the jurisdiction in which the PNP project is located must have a FEMA-approved Mitigation Plan to be eligible for grant funds. FEMA strongly recommends that PNPs participate in the development of the Local or Tribal Mitigation Plan to ensure that projects funded are consistent with the mitigation strategies of the jurisdiction. If they have fully participated in the development and review of the Local or Tribal Mitigation Plan, it is not necessary for them to approve/adopt the plan, as long as it is adopted by the jurisdiction.

Multi-Jurisdictional Private Nonprofit (PNP) Utilities

Multi-jurisdictional utility private nonprofit organizations (PNPs), including Rural Electric Cooperatives (RECs), are considered PNPs for the purposes of disaster assistance provided by FEMA under the Stafford Act. For PNPs such as RECs, special utility districts, or other multi-jurisdictional utilities, FEMA identifies two ways in which they may meet the mitigation planning requirement that ensure that projects funded by the HMGP are consistent with the mitigation strategies of the State, Tribal, and/or local jurisdiction in which the project is located.

First, the local jurisdiction(s) within which the REC mitigation project is located must have a FEMA-approved Local or Tribal Mitigation Plan under 44 CFR §201.6. FEMA strongly encourages PNPs in general, especially those that may be eligible sub-applicants for mitigation projects, such as RECs, to participate in the development of Local or Tribal Mitigation Plans.

Second, under 44 CFR §201.4, the FEMA approved State Mitigation Plan must address RECs. In the State option, the State may prepare an annex to its State Mitigation Plan specific to RECs and/or other multi-jurisdictional utilities that provide a critical function. The RECs and similar entities must participate with the State in the development of this annex, specifically in the identification of hazards potentially affecting their infrastructure, assessment of the vulnerabilities of the infrastructure to these hazards and identification of mitigation measures to reduce these vulnerabilities. The level of detail of the risk assessment and mitigation strategy of the annex must follow the requirements for Local Mitigation Plans (44 CFR §201.6(c)(2) and (3)), rather than the requirements for Standard State Mitigation Plans, in order to provide site-specific information. Coordination with local jurisdictions within which REC infrastructure is located must be documented in the annex, whether or not they have FEMA approved Local Mitigation Plans. Coordination with these jurisdictions will help ensure that the mitigation measures identified in the plan will be acceptable, and not in conflict with development or other plans of these jurisdictions. The annex must be approved by the State and FEMA, and the REC must participate in future updates of the Plan with respect to the annex.