

Local Mitigation Plan is the hazard mitigation plan required of a local or Indian tribal government acting as a **subgrantee as a condition of receiving a project subgrant under the HMGP** as outlined in 44 CFR 201.6.

Subgrantee means the government or other legal entity to which a subgrant is awarded and which is accountable to the grantee for the use of the funds provided. **Subgrantees can be a State agency, local government, private non-profit organizations, or Indian tribal government** as outlined in Sec. 206.433. Indian tribal governments acting as a subgrantee are accountable to the State grantee.

Plan requirement. (1) For all disasters declared on or after November 1, 2004*, local and tribal government applicants for subgrants, must have an approved local mitigation plan in accordance with 44 CFR 201.6 prior to receipt of HMGP subgrant funding. Until November 1, 2004*, local mitigation plans may be developed concurrent with the implementation of subgrants

Sec. 201.6 Local Mitigation Plans

The local mitigation plan is the representation of the jurisdiction's commitment to reduce risks from natural hazards, serving as a guide for decision makers as they commit resources to reducing the effects of natural hazards. Local plans will also serve as the basis for the State to provide technical assistance and to prioritize project funding.

(a) Plan requirement.

- (1) For disasters declared after November 1, 2004, a local government **must** have a mitigation plan approved pursuant to this section in order to receive HMGP project grants. Until November 1, 2004, local mitigation plans may be developed concurrent with the implementation of the project grant.
- (2) Regional Directors may grant an exception to the plan requirement in extraordinary

circumstances, such as in a small and impoverished community, when justification is provided. In these cases, a plan will be completed within 12 months of the award of the project grant. If a plan is not provided within this timeframe, the project grant will be terminated, and any costs incurred after notice of grant's termination will not be reimbursed by FEMA.

- (3) Multi-jurisdictional plans (e.g. watershed plans) may be accepted, as appropriate, as long as each jurisdiction participates in the process, answers all the questions and has officially adopted the plan. State-wide plans will not be accepted as multi-jurisdictional plans.

(b) Planning process. 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:

- (1) An opportunity for the public to comment on the plan during the drafting stage and prior to plan approval;
- (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
- (3) Review and incorporation, if appropriate, of existing plans, studies, reports, and technical information.

(c) Plan content. The plan **shall** include the following:

- (1) Documentation of 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.

- (2) A risk assessment that provides the factual basis for activities proposed in the strategy to reduce losses from identified hazards. Local risk assessments **must** provide sufficient information to enable the jurisdiction to identify and prioritize appropriate mitigation actions to reduce losses from identified hazards. The risk assessment **shall** include:
 - (i) 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.
 - (ii) 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. The plan **should** describe vulnerability in terms of:
 - (A) The types and numbers of existing and future buildings, infrastructure, and critical facilities located in the identified hazard areas;
 - (B) An estimate of the potential dollar losses to vulnerable structures identified in paragraph (c)(2)(i)(A) of this section and a description of the methodology used to prepare the estimate;
 - (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.
 - (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.

- (3) 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. This section **shall** include:
- (i) A description of mitigation goals to reduce or avoid long-term vulnerabilities to the identified hazards.
 - (ii) 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.
 - (iii) An action plan describing how the actions identified in paragraph (c)(2)(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.
 - (iv) For multi-jurisdictional plans, there **must** be identifiable action items specific to the jurisdiction requesting FEMA approval or credit of the plan.
- (4) A plan maintenance process that includes:
- (i) A section describing the method and schedule of monitoring, evaluating, and updating the mitigation plan within a five-year cycle.
 - (ii) 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.

(iii) Discussion on how the community will continue public participation in the plan maintenance process.

- (5) 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.

(d) Plan review.

- (1) Plans **must** be submitted to the State Hazard Mitigation Officer for initial review and coordination. The State will then send the plan to the appropriate FEMA Regional Office for formal review and approval.
- (2) The Regional review will be completed within 45 days after receipt from the State, whenever possible.
- (3) Plans **must** be reviewed, revised if appropriate, and resubmitted for approval within five years in order to continue to be eligible for HMGP project grant funding.

Successful HMGP applicants, as well as communities desiring to apply for mitigation grant funds in the future, will be required to develop an All Hazard Mitigation Plan utilizing these criteria.

For additional information please contact the HMGP Section at (253) 512-7073

*Jurisdictions with HMGP project or planning funds will have specific due dates for submittal of their plans. To receive Pre-Disaster Mitigation project grants, their mitigation plan must be submitted and approved prior to November 1, 2003.



State of Washington
**Emergency Management
 Division**



**Local Mitigation
 Planning
 Requirements
 Of the Disaster
 Mitigation Act of
 2000**

§201.6 of the Interim Final Regulations

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