

## Guidance Document Part 2, Section 1 - PREREQUISITES

A local government submitting a local hazard mitigation plan must satisfy the following three prerequisites before the plan will receive final approval by FEMA. Prior to final submission, FEMA has agreed to perform, via the State, a "preliminary" review of any local hazard mitigation plans or sections thereof. This will allow communities to make final adjustments to their plans before taking their plans to their governing bodies for adoption.

NOTE: A local hazard mitigation plan will not receive **final** approval, until these prerequisites have been fulfilled.

This Section includes the following Prerequisites:

- 1.1 *Adoption by the Local Governing Body***
- 1.2 *Multi-Jurisdictional Plan Adoption***
- 1.3 *Multi-Jurisdictional Planning Participation***

## 1.1 *Adoption by the Local Governing Body*

**REQUIREMENT:** IFR §201.6(c)(5) The local hazard mitigation 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)...

### Guidance on Section 1.1 - *Adoption by the Local Governing Body*

**EXPLANATION:** Adoption by the local governing body demonstrates the jurisdiction's commitment to fulfilling the mitigation goals and objectives outlined in the plan. Adoption legitimizes the plan and authorizes responsible agencies to execute their responsibilities. For final approval by FEMA, the Local Hazard Mitigation Plan must include a copy of the local governing body's resolution, adopting the plan.

**FEMA's GUIDANCE:** The plan must be formally adopted by the local governing body and a copy of the signed plan adoption resolution is included.

**STATE PERSPECTIVE:** No community wants to believe that they are vulnerable to disasters. Unless your community has experienced a recent disaster, local elected officials might not be very familiar with local hazards and the associated risks.

Following a disaster, there is little resistance, at least for a year or so, to implementing measures and projects designed to "ensure" that a community will be better prepared in the future, but motivating a Local Governing Body to adopt a pre-disaster mitigation plan may require more explanation.

The education and involvement of the members and staff of the local governing body is crucial from the beginning of the planning process, as their approval and adoption is required for the mitigation planning process to be ultimately successful.

The key is perhaps the selection of the "right" person, with the ability to share a vision of a safer future and who is able to educate stakeholders and the local governing body concerning the mitigation process which includes Hazard Analysis, Risk Assessment and Mitigation Project Identification. Formal adoption will occur when the Local Governing Body understands the positive **object** of a community's Local Hazard Mitigation Plan: "to save lives, preserve property and protect the environment, during times of Disaster."

**LOCAL EXPERIENCE / PERSPECTIVE:** (Comments applicable to this section/criteria, submitted by California local governments, that may be of value to other local governments who are developing their local mitigation plans, will be included here in the future.)

### **SUGGESTED RESOURCES:**

**Federal:** 1. FEMA "How To Guide" #386-1): *Getting Started:* For information on beginning the local mitigation planning process. (available on the Web at <<http://www.fema.gov/fima/planresource.shtm>>)

2. FEMA "How To Guide" #386-2: *Understanding Your Risks - identifying hazards and estimating losses:* Provides step-by-step guidance on how to accomplish a risk assessment and identifying hazards, which is the first phase of the planning process. (Now Available. FEMA 386-2 may be downloaded or may be ordered from the FEMA Publication Warehouse) (available on the Web at <<http://www.fema.gov/fima/planresource.shtm>>)

3. FEMA "How To Guide" #386-4): *Bringing the Plan to Life:* For more information about preparing, adopting and implementing a mitigation plan. (draft prepared for FEMA, not yet available)

**State:** Project Impact's booklet, *"Planning for a Sustainable Future – The Link Between Hazard Mitigation and Livability"* This is a FEMA booklet, but is obtainable through State OES. This is an excellent primer on the multi-hazard mitigation planning process, and for overcoming barriers to hazard mitigation. (available on the Web at <[http://www.fema.gov/fima/planning\\_toc.shtm](http://www.fema.gov/fima/planning_toc.shtm)>)

**Local:** Safety Element of the General Plan has already been approved the Local Governing Body of California Counties and Cities. Existing Local Emergency Preparedness Ordinances along with past Local Emergency Declarations, would provide valuable input to resolutions of adoption for the Local Hazard Mitigation Plan. (It should be noted that it often takes 2-4 weeks to place a new item on the agendas for city or county councils.)

**SCORING: (This Prerequisite will be scored as follows:)**

- ❑ Not Met. The plan has not been formally adopted by the local governing body.
- ❑ Not Met. The plan has been formally adopted by the local governing body, but a copy of the signed plan adoption resolution is not included.
- ❑ Met. The plan has been formally adopted by the local governing body and a copy of the signed plan adoption resolution is included.

## Section 1.2 *Multi-Jurisdictional Plan Adoption*

**REQUIREMENT:** IFR §201.6(c)(5) For multi-jurisdictional plans, each jurisdiction requesting approval of the plan must document that it has been formally adopted.

### Guidance on Section 1.2 - *Multi-Jurisdictional Plan Adoption*

**EXPLANATION:** In order for multi-jurisdictional plans to be approved, each jurisdiction that is included in the plan must have its governing body adopt the plan before submission to the State and FEMA, even when a regional agency has the authority to prepare such plans in the name of the respective jurisdictions.

FEMA has indicated that in the case of multi-jurisdictional plans, all participating governing bodies must sign the plan adoption resolution and include a copy in the plan submittal. However, discussions with FEMA have clarified this so that it is not intended that all participants must sign and approve the same or a single copy of a multi-jurisdictional plan. This may prove to be impossible in some cases. A "hold out" community should not be able to prevent completion of the planning process for the other participating communities. To obtain final approval from FEMA on this prerequisite, a Local Government that has been an active participant and contributor to a multi-hazard planning process, must approve the multi-hazard plan along with any necessary supplements and corrections, as their "own" Local Hazard Mitigation Plan.)

**FEMA's GUIDANCE:** FEMA will consider this section approvable if the plan has been formally adopted by each local governing body and a copy of each of the signed plan adoption resolutions is included.

FEMA will consider this section to not have been met if:

- The plan has not been formally adopted by the local governing body, or,
- If the plan has been formally adopted by the local governing body, but a copy of the signed plan adoption resolution is not included.

**STATE PERSPECTIVE:** It may be beneficial and expedient for smaller communities with limited resources, and for jurisdictions which "share" hazards (such as flood or fire zones) to consider participating in and adopting a multi-jurisdictional, LHMP rather than completing one all on their own.

FEMA has responded favorably to the initial suggestion by State OES that Operational Areas (Counties) could take the lead in organizing a multi-jurisdictional LHMP which would include the cities and other local government entities that are located within the Operational Area.

The key for FEMA approval of a multi-jurisdictional plan is for the community to have actively participated in the development of the plan, along with the other jurisdictions involved, and then to have formally adopted the plan as their "own" through a Resolution of Adoption by their Local Governing Body.

It is anticipated that the multi-jurisdictional approach will be the most efficient approach for many local governments in California.

**LOCAL EXPERIENCE / PERSPECTIVE:** (Comments applicable to this section/criteria, submitted by California local governments, that may be of value to other local governments who are developing their local mitigation plans, will be included here in the future.)

### **SUGGESTED RESOURCES:**

**Federal:** 1. FEMA "How To Guide" #386-1): *Getting Started:* For information on beginning the local mitigation planning process. (available on the Web at <<http://www.fema.gov/fima/planresource.shtm>>)

2. FEMA "How To Guide" #386-4): *Bringing the Plan to Life:* For more information about preparing, adopting and implementing a mitigation plan. (draft prepared for FEMA, not yet available)

3. FEMA "How To Guide" #386-8): *Multi-Jurisdictional Approaches to Mitigation Planning* (not yet available)

**State:**

**Local:**

**Tools:**

**SCORING: (This Prerequisite will be scored as follows:)**

- ❑ Not Met. The plan has not been formally adopted by the local governing body.
- ❑ Not Met. The plan has been formally adopted by the local governing body, but a copy of the signed plan adoption resolution is not included.
- ❑ Met. The plan has been formally adopted by the local governing body and a copy of the signed plan adoption resolution is included.

### Section 1.3 - *Multi-Jurisdictional Planning Participation*

**REQUIREMENT:** IFR §201.6(a)(3) Multi-jurisdictional plans (e.g., watershed plans) may be accepted, as appropriate, as long as each jurisdiction has participated in the process... Statewide plans will not be accepted as multi-jurisdictional plans.

#### Guidance on Section 1.3 - *Multi-Jurisdictional Planning Participation*

**EXPLANATION:** A multi-jurisdictional plan, as prepared by regional planning and development authorities (e.g. watershed/river basin commission), is acceptable as a Local Mitigation Plan under DMA 2000. However, the plan will be rejected if all of the jurisdictions encompassed in the plan do not participate in its development. Therefore, the plan must document how each jurisdiction participated in the planning process.

**FEMA's GUIDANCE:** FEMA will consider this section to have been met for a jurisdiction, if that jurisdiction **actively participates** with the other involved jurisdictions prior to adopting the multi-jurisdictional plan as their "own" plan. FEMA will consider this section to have not been met if, a jurisdiction **does not actively participate** with the other involved jurisdictions prior to adopting the multi-jurisdictional plan as their "own" plan. The key is active participation in the multi-jurisdictional planning process (and documentation of the same).

**STATE PERSPECTIVE:** OES is entirely supportive of the idea of broad based, active participation in a multi-jurisdictional planning process. OES is concerned that smaller jurisdictions may find themselves at a disadvantage when they begin the planning process later than other local area jurisdictions.

These jurisdictions may begin the mitigation planning process to discover that there has already been multi-jurisdictional planning done in "regions" that cover their jurisdiction, but that they did not actively participate in the planning.

In this case, OES recommends that the planning information found in the multi-jurisdictional plan be corrected, updated and refined as necessary by the non-participating jurisdiction and that they adopt this own Local Hazard Mitigation Plan. The jurisdiction will then be ready to "participate" during the next round of multi-jurisdictional planning for their local area.

**LOCAL EXPERIENCE / PERSPECTIVE:** From a County OES – Participation should include more than just attendance at meetings. If the meeting concerns hazard analysis, then a community should come to the meeting ready to discuss the multi-jurisdictional hazards as well as those that pertain only within their local boundaries, complete with maps. Each individual jurisdiction should then document their own participation and contribution to the multi-jurisdictional plan development meetings throughout the planning process, and not expect the lead agency to do this for them.

**SUGGESTED RESOURCES:**

**Federal:** 1. FEMA "How To Guide" #386-1): *Getting Started:* For information on beginning the local mitigation planning process. (available on the Web at <<http://www.fema.gov/fima/planresource.shtm>>)

2. FEMA "How To Guide" #386-8): *Multi-Jurisdictional Approaches to Mitigation Planning.* (not yet available)

**State:**

**Local:**

**Tools:**

**SCORING: (This Prerequisite will be scored as follows:)**

Not Met. Local Jurisdiction did not actively participate in the multi-jurisdictional planning process prior to adopting the multi-jurisdictional hazard mitigation plan as their own local plan.

- Not Met. Local Jurisdiction did not actively participate in the multi-jurisdictional planning process prior to adopting the multi-jurisdictional hazard mitigation plan as their own local plan.
- Met. Local Jurisdiction actively participated in the multi-jurisdictional planning process prior to adopting the multi-jurisdictional hazard mitigation plan as their own local plan.

**End of Section 1.3**