Guidance Document Part 2, Section 5 - *PLAN MAINTENANCE PROCEDURES*

REQUIREMENT: §201.6(c)(4) requires a formal plan maintenance process to take place to ensure that the Mitigation Plan remains an active and pertinent document. The plan maintenance process includes a schedule for monitoring and evaluating the plan at least every five years, and continued public participation throughout the plan maintenance process. This section should also include an explanation of how local governments intend to incorporate their mitigation strategies into any existing planning mechanisms they have, such as comprehensive or capital improvement plans, or zoning and building codes.

Section 5 includes the following subsections:

5.1 *Monitoring, Evaluating, and Updating the Plan*
5.2 *Implementation Through Existing Programs*
5.3 *Continued Public Involvement*

Section 5.1 - *Monitoring, Evaluating, and Updating the Plan*

REQUIREMENT: IFR §201.6(c)(4)(i) - The plan maintenance process shall include a section describing the method and schedule of monitoring, evaluating, and updating the mitigation plan within a five-year cycle.

Guidance for Section 5.1 - *Monitoring, Evaluating, and Updating the Plan*

EXPLANATION: The local jurisdiction should describe the system it has established to monitor the plan (this system may include periodic reports by agencies involved in implementing projects or activities; site visits, phone calls, and meetings conducted by the person responsible for overseeing the plan; and the preparation of an annual report that captures the highlights of the previously mentioned activities).

The local jurisdiction plan should also include a description of how, when, and by whom the plan will be evaluated, and should include the criteria used to evaluate the plan. The evaluation should assess, among other things, whether:

- The goals and objectives address current and expected conditions.
- The nature or magnitude of risks has changed.
- The current resources are appropriate for implementing the plan.
- There are implementation problems, such as technical, political, legal or coordination issues with other agencies.
- The outcomes have occurred as expected.
- The agencies and other partners participated as proposed.

Ideally, the Plan should be evaluated on an annual basis to determine the effectiveness of programs, and to reflect changes in land development or programs that may affect mitigation priorities. The plan should describe how, when, and under what conditions the plan will be updated and what agencies and interested parties will participate in the update. If plans are not updated annually, the plan should describe the schedule chosen by the community and provide an explanation for that schedule.

FEMA's GUIDANCE: The plan should include a firm schedule and timeline for the evaluation of the plan. The local agencies and other concerned parties who will participate in the evaluation should be identified. This section should include a description of how the plan will be evaluated.

In the Local Hazard Mitigation Plan, plan maintenance procedures must:
1. Describe method and schedule for monitoring, evaluating and updating the plan
2. Include a process for incorporating plan requirements into other planning mechanisms
3. Include a discussion on how the community will continue to participate in the process4. Include a formal plan maintenance process than ensures that the mitigation plan remains an active and pertinent document

STATE PERSPECTIVE: The process of developing, adopting and receiving approval of a LHMP will be an accomplishment that a local community may justly take pride in, and one that will continue to serve and protect a community through the years, if it is maintained.

Local Hazard Mitigation Plans should be living documents. It is recognized that this may present a challenge to identify how periodic reviews of the plan will done to keep the plan current and reflect the changing needs of a community. In addition, a review should be initiated to incorporate the actual disaster experience of a local community following a disaster or other event that impacts the LHMP.

Some suggestions would be to assign responsibility for the review of the three main sections of the Local Plan, **Hazard Analysis, Risk Assessment, and Project Identification and Evaluation,** and then incorporate the updates into existing reports for that department assigned. Example: The County's Office of Emergency Services has been assigned responsibility for reviewing and updating the Hazard Analysis section of the LHMP**.** To ensure that this review is done on a periodic basis, OES has added an "Hazard Analysis Update" to the department's quarterly report to the County Supervisor's Office. These reports are then accumulated for incorporation in the next revision of the LHMP, General Plan, and other planning mechanisms.

Updates for the three main sections of the LHMP, as described above, should also incorporate the effects of natural or man-made events, along with the implementation, status or completion of mitigation projects. Physical development within the community and changes in relevant state or federal laws can also have an effect of hazard mitigation planning. It is the State's position that no local mitigation plan maintenance review should be submitted with the statement "no changes observed or necessary."

The process for updating the LHMP should be more active than that utilized to update the County/City General Plan, even though the General Plan is considered the master document, or Constitution, that governs land use and development in a California jurisdiction. Generally, an active process to update the General Plan does not exist between updates, and many General Plans have exceeded the required revision dates established by the Office of Planning and Research (OPR).

Local Governments must document a process to ensure that the LHMP does not remain static, or become outdated, between each 5 year review cycle. A "Charter" or "Five Year Plan" of milestones for review should be documented and responsibility assigned. (See Section 5.3 of this document for public involvement requirement.) Changes or amendments to the community's General Plan should be incorporated into the maintenance review of the LHMP and vice versa.

The requirement, for a Local Government, to review and update the LHMP every five years does not preclude a local government from adopting a supplement to the existing plan for major changes or additions, and submitting this supplement to FEMA for approval. This could be particularly important for proposed measures and projects, which need to be included and identified in the local plan, prior to a grant application.

SUGGESTED RESOURCES: For guidance on the plan maintenance process, see:

Federal: 1. 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:

Local: General Plan, Emergency Preparedness Plans, Environmental Protection Plans, Hazardous Materials Plan (Area Plans), zoning and building codes, other local planning mechanisms.

Tools:

EXAMPLE TEXT: To complete the criteria of Section 5.1 - *Monitoring, Evaluating, and Updating the Plan*

NOTE: The following example of text for Section 5.1 is considered satisfactory by FEMA. Similar content, tailored for local circumstances, should be considered by a Local Government for their LHMP. OES intends to replace the FEMA provided example text provided below, with examples from approved California Local Government Plans, at the earliest opportunity.

FEMA TEXT: Golden County has developed a method to ensure that regular review and update of the Hazard Mitigation Plan occurs. The County has formed a Hazard Mitigation Plan Evaluation Committee that consists of members from local agencies and other concerned parties, including elected officials, the County Department of Natural Resources, the County Office of Economic Development, the County Office of Emergency Services, the County DOT, the non-profit Mud River Watershed Society, and representatives from the State University Geography Department. The County Planning Department is responsible for contacting committee members and organizing the annual meeting. The meeting will be held in March of each year, and committee members will be responsible for monitoring and evaluating the progress of the mitigation strategies in the plan.

The committee will review each goal and objective to determine their relevance to changing situations in the County, as well as changes in State or federal policy, and to ensure that they are addressing current and expected conditions. The committee will also review the risk assessment portion of the plan to determine if this information should be updated or modified. The parties responsible for the various implementation actions will report on the status of their projects and

will include which implementation processes worked well, any difficulties encountered, how coordination efforts were proceeding, and which strategies should be revised.

The Planning Department will then have three months to update and make changes to the plan before submitting it to the Committee members and the State Hazard Mitigation Officer. If no changes are necessary, the State Hazard Mitigation Officer will be given a justification for this determination.

End of Section 5.1

Section 5.2 - *Implementation Through Existing Programs*

REQUIREMENT: IFR §201.6(c)(4)(ii) - The plan shall include a process by which local governments incorporate the requirements of the mitigation plan into other planning mechanisms such as comprehensive or capital improvement plans, when appropriate . . .

Guidance for Section 5.2 - *Implementation Through Existing Programs*

EXPLANATION: Jurisdictions should indicate how mitigation recommendations will be integrated into job descriptions, comprehensive plans, capital improvement plans, zoning and building codes, site reviews, permitting, and other planning tools, where such tools are the appropriate vehicles for implementation.

Communities that do not have a comprehensive plan, or other similar planning mechanisms, should explain how the mitigation recommendations would be implemented. Further, for certain mitigation actions that may use other means of implementation, these other tools should be described.

FEMA's GUIDANCE: The plan must state how planning for hazard mitigation will be incorporated into existing mechanisms, not just that it will be done.

STATE PERSPECTIVE: It would seem that the best way to ensure that the information and updates that are made to the LHMP are included in the other planning mechanisms of a local government would be to include from the beginning of the local hazard mitigation planning process, those persons that are knowledgeable and responsible for maintaining and updating the General Plan, Emergency Plans, Environmental Protection Plans, Hazardous Materials Plan (Area Plans) as well as departments involved in community development and building code enforcement.

The participation and contribution of these people should be documented, and the reasons for representatives from the various departments should be described in order to ensure their continued participation.

It is quite possible that, with persons attending as described above, that the updates of the LHMP and periodic meetings concerning different aspects of hazard mitigation will increase the timeliness and accuracy of updates to other local planning mechanisms.

SUGGESTED RESOURCES: For more information on integrating hazard mitigation activities in other initiatives, see:

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>)**
State:
Local: General Plan, Emergency Preparedness Plans, Environmental Protection Plans, Hazardous Materials Plan (Area Plans), zoning and building codes, other local planning mechanisms.
Tools:

EXAMPLE TEXT: To complete the criteria of Section 5.2 - *Implementation Through Existing Programs* NOTE: The following example of text for Section 5.2 is considered satisfactory by FEMA. Similar content, tailored for local circumstances, should be considered by a Local Government for their LHMP. OES intends to replace the FEMA provided example text provided below, with examples from approved California Local Government Plans, at the earliest opportunity.

FEMA TEXT: Golden County currently utilizes comprehensive land use planning, capital improvements planning, and building codes to guide and control development in the County. After the County officially adopts the Hazard Mitigation Plan, these existing mechanisms will have hazard mitigation strategies integrated into them. After adoption of the Mitigation Plan, the County will require that local municipalities address hazards in their comprehensive plans and land use regulations. Specifically, one of the goals in the Mitigation Plan directs County and local governments to protect life and property from natural disasters and man-caused hazards. The County Planning Department will conduct periodic reviews of the County's comprehensive plans and land use policies, analyze any plan amendments, and provide technical assistance to other local municipalities in implementing these requirements.

The County Building Department is responsible for administering the building codes in local municipalities. After the adoption of the Mitigation Plan, they will work with the State Building Code Office to make sure that the County adopts, and is enforcing, the minimum standards established in the new State Building Code. This is to ensure that life/safety criteria are met for new construction. The capital improvement planning that occurs in the future will also contribute to the goals in the Hazard Mitigation Plan. The County Natural Resources Department will work with capital improvement planners to secure high-hazard areas for low risk uses.

Within six months of the formal adoption of the Mitigation Plan, the policies listed above will be incorporated into the process of existing planning mechanisms.

End of Section 5.2

Section 5.3 - *Continued Public Involvement*

REQUIREMENT: IFR §201.6(c)(4)(iii) - The plan maintenance process shall include a discussion on how the community will continue public participation in the plan maintenance process.

Guidance for Section 5.3 - *Continued Public Involvement*

EXPLANATION: The plan should describe what opportunities the broader public (i.e., stakeholders who are not part of the planning team) would have during the plan's periodic review to comment on the progress made to date and the proposed plan revisions. Plans should describe the mechanisms for keeping the public involved (e.g., holding strategic meetings, posting the proposed changes to the plan on the web, etc.)

FEMA's GUIDANCE: The plan should describe the public outreach projects the County is undertaking, and the mechanisms for keeping the public involved.

STATE PERSPECTIVE: The suggestion to assign responsibility for the review of the three main sections of the Local Plan should also be extended to the Local Public Affairs Office or the Department which is responsible for public meetings and/or public review of governmental actions. Once again, assigning responsibility is the key.

With an approved "Charter" or "Five Year Plan" of milestones for review and update of the LHMP, public forums may be scheduled long in advance and remind a community of the requirement for continued public involvement in the mitigation planning process.

SUGGESTED RESOURCES: For more information on keeping the public involved, see:

.**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)**

State:

Local: General Plan, Emergency Preparedness Plans, Environmental Protection Plans, Hazardous Materials Plan (Area Plans), zoning and building codes, other local planning mechanisms.

Tools:

EXAMPLE TEXT: To complete the criteria of Section 5.3 - *Continued Public Involvement*

NOTE: The following example of text for Section 5.3 is considered satisfactory by FEMA. Similar content, tailored for local circumstances, should be considered by a Local Government for their LHMP. OES intends to replace the FEMA provided example text provided below, with examples from approved California Local Government Plans, at the earliest opportunity.

FEMA TEXT: Rocky County is dedicated to involving the public directly in the continual reshaping and updating of the Hazard Mitigation Plan. The Hazard Mitigation Plan Evaluation Committee members are responsible for the annual review and update of the plan. Although they represent the public to some extent, the public will be able to directly comment on and provide feedback about the plan.

Copies of the plan will be catalogued and kept on hand at all of the public libraries in the County. The existence and location of these copies will be publicized in the monthly newsletter sent out by the County Chamber of Commerce. Contained in the plan is the address and phone number of County Planning Department Staff Member(s) responsible for keeping track of public comments on the plan.

In addition, copies of the plan and any proposed changes will be posted on the County Government website. This site will also contain an email address and phone number to which people can direct their comments or concerns. A link to this site will also be provided on the local Sandy State College Department of Geography and Department of Urban Planning web pages.

A public meeting will also be held after each annual Mitigation Plan Evaluation Committee meeting. This meeting will provide the public a forum for which they can express concerns, opinions, or ideas about the plan. The County Planning Department will publicize and host this meeting.

End of Section 5.3