

# State Mitigation Plan Review Guide

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**FEMA**

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## List of Acronyms and Abbreviations

APA	Approvable Pending Adoption
BW-12	Biggert-Waters Flood Insurance Reform Act of 2012
CFR	Code of Federal Regulations
CRS	Community Rating System
FEMA	Federal Emergency Management Agency
FFR	Federal Financial Report
FMA	Flood Mitigation Assistance
FMAG	Fire Management Assistance Grants
HMA	Hazard Mitigation Assistance
HMGP	Hazard Mitigation Grant Program
NFIP	National Flood Insurance Program
PA C-G	Public Assistance Categories C-G
PDM	Pre-Disaster Mitigation Program
PPD	Presidential Policy Directive
Risk MAP	Risk Mapping, Assessment, and Planning Program
RL	Repetitive Loss
SF	Standard Form
SRL	Severe Repetitive Loss
U.S.C.	United States Code

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## SECTION 1: INTRODUCTION

### 1.1 Purpose

Hazard mitigation is sustained action to reduce or eliminate the long-term risk to human life and property from hazards. Natural hazard mitigation planning is a process used by state, tribal, and local governments to engage stakeholders, identify hazards and vulnerabilities, develop a long-term strategy to reduce risk and future losses, and implement the plan, taking advantage of a wide range of resources. A state mitigation plan demonstrates commitment to reduce risks from natural hazards and serves as a guide for decision makers for reducing the effects of natural hazards as resources are committed.

FEMA supports hazard mitigation planning as a means to:

- Foster partnerships for natural hazard mitigation;
- Promote more resilient and sustainable states and communities; and
- Reduce the costs associated with disaster response and recovery.

This *State<sup>1</sup> Mitigation Plan Review Guide (Guide)* is FEMA’s official policy on and interpretation of the natural hazard mitigation planning requirements.<sup>2</sup> The intended use of the *Guide* is to facilitate consistent evaluation and approval of state mitigation plans, as well as to facilitate state compliance with the mitigation planning requirements when updating plans. Separate local and tribal mitigation planning guidance is available from the [FEMA Mitigation Planning](#) website.

This *Guide* incorporates principles from the following documents:

- Presidential Policy Directive (PPD)
  - [PPD 8 National Preparedness](#) (March 2011)
  - [PPD 21 Critical Infrastructure Security and Resilience](#) (February 2013)
- [National Preparedness Goal<sup>3</sup>](#) (September 2011)

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<sup>1</sup> For mitigation planning, the term “state” is inclusive of the District of Columbia, American Samoa, Commonwealth of Northern Mariana Islands, Guam, Puerto Rico, and the U.S. Virgin Islands [44 Code of Federal Regulations (CFR) §201.2 Definitions]. Indian tribal governments follow the *Tribal Multi-Hazard Mitigation Planning Guidance*. If interested in being eligible for the 20 percent Hazard Mitigation Grant Program funding, the tribal mitigation plan must meet the enhanced state mitigation plan criteria presented in this *Guide* [44 CFR §201.3(e)(3)].

<sup>2</sup> The mitigation planning requirements are authorized under the Robert T. Stafford Disaster Relief and Emergency Assistance Act ([Stafford Act](#)) (Public Law 93-288; 42 United States Code [U.S.C.] 5121 et seq.), as amended by the Disaster Mitigation Act of 2000; National Flood Insurance Act of 1968, as amended [42 U.S.C. 4001 et seq.]; 44 CFR Part 201 Mitigation Planning; and 44 CFR Part 206, Subpart N Hazard Mitigation Grant Program, §206.434 Eligibility.

<sup>3</sup> “A secure and resilient nation with the capabilities required across the whole community to prevent, protect against, mitigate, respond to, and recover from the threats and hazards that pose the greatest risk.”

- [National Mitigation Framework](#) (May 2013)
- [FEMA’s Climate Change Adaptation Policy](#) (January 2012)
- [Executive Order 13653: Preparing the United States for the Impacts of Climate Change](#) (November 2013)

This *Guide* supersedes the following policies:

- “Multi-Hazard Mitigation Planning Guidance under the Disaster Mitigation Act of 2000” (January 2008)
- “Guidance to FEMA Regions and States for Updating Standard State Multi-Hazard Mitigation Plans” (Mitigation Planning Memorandum #5, November 6, 2006)
- “Blue Book Guidance to FEMA Regions and States for New and Updated Enhanced State Multi-Hazard Mitigation Plans” (Mitigation Planning Memorandum #7, July 10, 2007)
- “Implementation of State Mitigation Plan Requirement for Severe Repetitive Loss Strategy” (Mitigation Planning Memorandum #9, January 11, 2008)
- “Enhanced Mitigation Plan Review Procedure” (Mitigation Planning Memorandum #14, December 6, 2010)
- “Restrictions on Grant Obligations to State, Tribal and Local Governments without a FEMA-Approved Mitigation Plan” (FP 306-112-1, August 19, 2013)

**FEMA supports hazard mitigation planning as a means to:**

- **Foster partnerships for natural hazard mitigation;**
- **Promote more resilient and sustainable states and communities; and**
- **Reduce the costs associated with disaster response and recovery.**

## 1.2 *Guiding Principles*

### 1. **Foster Cooperative Relationships.**

*FEMA will focus on maintaining a close and constructive working relationship with the state. FEMA, as a partner with the state, will conduct plan review and approval, and will work with the states where possible, to help the states achieve mitigation goals through the implementation of activities and programs proposed in the plans. Plan review and approval should not be the sole focal point of communication concerning mitigation planning and programs. FEMA will facilitate technical assistance both during the approval period and during the plan update process to strengthen this relationship.*

### 2. **Emphasis on the Planning Processes.** *FEMA encourages states to focus on a comprehensive and inclusive planning process to support mitigation throughout state government and at the community level. While the plan provides documentation of state mitigation planning processes, continuous coordination among state agencies and communities is the key to achieving mitigation goals and long-term resilience.*



3. **Focus on Reducing Risks.** *Resilience<sup>4</sup>, in terms of mitigation planning, means the ability to adapt to changing conditions and prepare for, withstand, and rapidly recover from disruptions caused by a hazard.* State risk assessments must be current, relevant, and include new hazard data, such as recent events, current probability data, loss estimation models, or new flood studies as well as information from local and tribal mitigation plans, as applicable, and consideration of changing environmental or climate conditions that may affect and influence the long-term vulnerability from hazards in the state. FEMA recognizes there exists inherent uncertainty about future conditions and will work with states to identify tools and approaches that enable decision-making to reduce risks and increase resilience from a changing climate. An understanding of vulnerabilities will assist with prioritizing mitigation actions and policies that reduce risk from future events.
  
4. **Improve Mitigation Capabilities.** *FEMA seeks opportunities for engagement to support and advance hazard mitigation.* The [National Mitigation Framework](#) focuses on core capabilities, including community resilience and the connections between economy, housing, health and social services, infrastructure, as well as natural and cultural resources. State governments contribute to hazard mitigation through the integration of planning processes, policies, and programs. FEMA will work with the states to provide technical assistance beyond plan review and approval so that coordination and mitigation capabilities are strengthened.

### 1.3 Organization

This *Guide* is organized as follows:

1. Introduction
2. Mitigation Planning Responsibilities
3. Standard State Plan Requirements
4. Enhanced State Plan Requirements

#### Appendices

- A: Submission and Review Procedures
- B: State Mitigation Plan Review Tool
- C: Approval Letter Template
- D: Consultation Summary Template

**Guiding Principles:**

1. Foster Cooperative Relationships.
2. Emphasis on the Planning Processes.
3. Focus on Reducing Risks.
4. Improve Mitigation Capabilities.

Section 2 clarifies the state and FEMA responsibilities set forth in the mitigation planning regulations at 44 CFR Part 201, and explains the mitigation program consultation process for supporting state mitigation activities and programs. The sections on standard state plan requirements and enhanced state plan requirements (Sections 3 and 4) describe the

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<sup>4</sup> According to PPD 8 National Preparedness, the term "resilience" "refers to the ability to adapt to changing conditions and withstand and rapidly recover from disruption due to emergencies."

requirements for each element reviewed by FEMA in order to approve the plan. Excerpts from the mitigation planning regulations are included for reference.

Appendix A, Submission and Review Procedures, sets forth the standard operating procedures for the submission and review of both Standard and Enhanced state mitigation plans and includes information on:

1. Communication
2. Plan Submittal
3. Plan Adoption
4. Plan Review Status
5. Enhanced State Mitigation Plan Review
6. Review of Mitigation Commitments

Appendix B, State Mitigation Plan Review Tool, is for use by FEMA plan reviewers to determine if the plan meets the standard or enhanced state mitigation plan requirements, to provide more comprehensive feedback to the state to acknowledge where the plan exceeds minimum standard or enhanced state mitigation plan requirements, and to provide suggestions for improvements. State staff may use the Tool as a checklist to ensure all requirements have been addressed.

Appendix C, Approval Letter Template, is for use by FEMA Mitigation Planning staff in communicating the plan approval status to the state.

Appendix D, Consultation Summary Template, is for use by FEMA Mitigation staff to provide a written summary of the mitigation program consultation to the state.

## SECTION 2: MITIGATION PLANNING RESPONSIBILITIES

This section outlines the responsibilities for both FEMA and the state regarding the update, review, and approval of the state mitigation plan, including implementation, plan maintenance, and support of local and tribal, as applicable, mitigation planning, and review of the state’s mitigation planning program and commitments.

This section is organized as follows:

- 2.1 FEMA Responsibilities under 44 CFR Part 201
  - 2.1.1 Communicating Mitigation Plan Status
  - 2.1.2 Mitigation Program Consultation
- 2.2 State Responsibilities under 44 CFR Part 201

### 2.1 FEMA Responsibilities

44 CFR	REGULATORY TEXT
§201.3(b)	<p><i>The key responsibilities of the Regional Administrator are to:</i></p> <ul style="list-style-type: none"> <li>(1) <i>Oversee all FEMA related pre- and post-disaster hazard mitigation programs and activities;</i></li> <li>(2) <i>Provide technical assistance and training to State, local, and Indian tribal governments regarding the mitigation planning process;</i></li> <li>(3) <i>Review and approve all Standard and Enhanced State Mitigation plans;</i></li> <li>(4) <i>Review and approve all local mitigation plans, unless that authority has been delegated to the State in accordance with §201.6(d);</i></li> <li>(5) <i>Conduct reviews, at least once every five years, of State mitigation activities, plans, and programs to ensure that mitigation commitments are fulfilled, and when necessary, take action, including recovery of funds or denial of future funds, if mitigation commitments are not fulfilled.</i></li> </ul>
§201.4(d) and §201.6(d)(2)	<p><i>The Regional review will be completed within 45 days after receipt from the State, whenever possible.</i></p>
§201.7(d)(2)	<p><i>The Regional review will be completed within 45 days after receipt from the Indian tribal government, whenever possible.</i></p>

#### 2.1.1 Communicating Mitigation Plan Status

At a minimum of 12 months prior to each state mitigation plan expiration date, FEMA will provide the state with written information, including but not limited to:

- State mitigation plan expiration date;
- Consequences of not having a FEMA-approved mitigation plan with respect to eligibility for the following FEMA programs:
  - [Public Assistance Categories C-G \(PA C-G\)](#)
  - [Fire Management Assistance Grants \(FMAG\)](#)
  - [Hazard Mitigation Grant Program \(HMGP\)](#)
  - [Pre-Disaster Mitigation \(PDM\)](#)
  - [Flood Mitigation Assistance \(FMA\)](#)

- Availability of mitigation planning technical assistance.

At a minimum of every 6 months, FEMA will provide the state with written information, including but not limited to:

- Local and tribal, as applicable, mitigation plan expiration dates;
- Consequences of not having a FEMA-approved mitigation plan with respect to eligibility for FEMA mitigation grants, such as [HMGP](#), [PDM](#), and [FMA](#); and
- Availability of mitigation planning training and technical assistance.

For more information on the mitigation plan requirement relative to eligibility for FEMA mitigation grants, refer to the [Hazard Mitigation Assistance \(HMA\) Guidance](#).

## 2.1.2 Mitigation Program Consultation

FEMA is responsible for providing technical assistance and reviewing state activities, plans, and programs to ensure mitigation commitments are fulfilled. Many states and the corresponding FEMA Regional Mitigation staff already coordinate regularly on the status of the state's mitigation program, in particular, the status of HMA grants or other FEMA assistance.

FEMA will provide the opportunity for technical assistance through review and consultation on the state's mitigation program, to be completed at least annually. The benefits of an annual mitigation program consultation to the state include but are not limited to:

- Promoting dialogue between FEMA and the state on the means to achieve, support, and maintain effective state mitigation programs;
- Identifying the status of the state's mitigation program, including strengths and challenges, as well as specific needs and opportunities;
- Ensuring feedback to the state on maintaining continuous HMA grants management performance, particularly for states interested in developing an enhanced plan; and
- For states that currently have an approved enhanced plan, demonstrating continued mitigation capabilities, including HMA grants management performance, in advance of a plan update and not at the review of a five-year mitigation plan update.

During the consultation, topics of discussion will include, but are not limited to, status of and specific needs for:

- Advancing implementation of the state mitigation strategy;
- Ensuring the state mitigation plan remains relevant over the approval period;
- Facilitating the plan update and approval process;
- Building mitigation capabilities through training, technical assistance, and partnerships with FEMA and other Federal agencies;
- Advancing local and tribal, as applicable, mitigation planning, including submitting approvable mitigation plans to FEMA;
- Maintaining and/or improving mitigation capabilities, with particular attention to human resources and funding; and

- Maintaining and/or improving HMA grants management performance, including effectively using all available funding from FEMA mitigation programs.

FEMA and the state may consider preparing a written agreement to establish expectations upfront. FEMA may include the agreement as an attachment to the plan approval letter, as appropriate, or the state may include the agreement with the official adoption documentation of the plan to increase awareness and support. The benefits of a written agreement include:

- Clearly describes the topics to be discussed and outcomes targeted with the consultation process;
- Identifies the appropriate FEMA and state staff that will be included in the consultation;
- Explains the responsibilities of key personnel from both FEMA and the state, as well as specific roles in the consultation;
- Clearly explains the process for coordinating with and collecting input into FEMA's review, with particular emphasis on minimizing the level of effort by state participants; and
- Establishes:
  - Timeframe or dates for when consultation will occur;
  - Location (such as state or FEMA office);
  - Method of contact (such as in person, phone, or video conference); and
  - Frequency (at least annually, but more frequently if requested).

For example, the consultation may be scheduled to align with an in-person meeting, such as the state's Hazard Mitigation Planning Committee, a FEMA workshop, or a FEMA meeting; or the meeting may be held remotely, such as by phone or video conferencing.

After each consultation, FEMA will provide the state with a summary of the discussion. Appendix D, Consultation Summary Template, is for use by FEMA Mitigation staff in preparing a summary of the discussion. FEMA will document recommendations for improvements to the State Mitigation Program and any items that should be corrected or modified before the next state mitigation plan update. FEMA will not require a state mitigation plan update as a result of the consultation.

**2.2 State Responsibilities**

44 CFR	REGULATORY TEXT
§201.3(c)	<p><i>The key responsibilities of the State are to coordinate all State and local activities relating to hazard evaluation and mitigation and to:</i></p> <ol style="list-style-type: none"> <li><i>(1) Prepare and submit to FEMA a Standard State Mitigation Plan following the criteria established in §201.4 as a condition of receiving non-emergency Stafford Act assistance and FEMA mitigation grants. In addition, a State may choose to address severe repetitive loss properties in their plan as identified in §201.4(c)(3)(v) to receive the reduced cost share for the Flood Mitigation Assistance (FMA)<sup>5</sup> and Severe Repetitive Loss (SRL) programs,<sup>6</sup> pursuant to §79.4(c)(2) of this chapter.</i></li> <li><i>(2) In order to be considered for the 20 percent HMGP funding, prepare and submit an Enhanced State Mitigation Plan in accordance with §201.5, which must be reviewed and updated, if necessary, every 5 years from the date of the approval of the previous plan.</i></li> <li><i>(3) At a minimum, review and update the Standard State Mitigation Plan every 5 years from the date of the approval of the previous plan in order to continue program eligibility.</i></li> <li><i>(4) Make available the use of up to the 7 percent of HMGP funding for planning in accordance with §206.434.</i></li> <li><i>(5) Provide technical assistance and training to local governments to assist them in applying for HMGP planning grants, and in developing local mitigation plans.</i></li> <li><i>(6) For Managing States that have been approved under the criteria established by FEMA pursuant to 42 U.S.C. 5170c(c), review and approve local mitigation plans in accordance with §201.6(d).</i></li> </ol>
§201.4(a)	<p><i>Plan requirement. States must have an approved Standard State Mitigation Plans meeting the requirements of this section as a condition of receiving non-emergency Stafford Act assistance and FEMA mitigation grants. Emergency assistance provided under 42 U.S.C. 5170a, 5170b, 5173, 5174, 5177, 5179, 5180, 5182, 5183, 5184, 5192 will not be affected. Mitigation planning grants provided through the Pre-disaster Mitigation (PDM) program, authorized under section 203 of the Stafford Act, 42 U.S.C. 5133, will also continue to be available. The mitigation plan is the demonstration of the State's commitment to reduce risks from natural hazards and serves as a guide for State decision makers as they commit resources to reducing the effects of natural hazards.</i></p>
§201.4(c)(7)	<p><i>Assurances. The plan must include assurances that the State will comply with all applicable Federal statutes and regulations in effect with respect to the periods for which it receives grant funding, including 2 CFR parts 200 and 3002.</i></p>

<sup>5</sup> Under FMA, the Federal cost share is 90 percent for repetitive loss properties and 100 percent for severe repetitive loss properties [42 U.S.C. 4104c(d)(1),(2)].

<sup>6</sup> The Biggert-Waters Flood Insurance Reform Act of 2012 (BW-12) (Public Law 112-131) consolidated the SRL program into the FMA program.

44 CFR	REGULATORY TEXT
§201.4(d)	<i>Review and updates. Plan must be reviewed and revised to reflect changes in development, progress in statewide mitigation efforts, and changes in priorities and resubmitted for approval to the appropriate Regional Administrator every 5 years.</i>
§201.6(d)(1)	<i>The State is responsible for the initial review and coordination of Local Mitigation Plans prior to sending the plan to the appropriate FEMA Regional Office for formal review and approval.</i>
§201.7(d)(1)	<i>Indian tribal governments interested in the option of being a subgrantee under the State must submit the Tribal Mitigation Plan to the State Hazard Mitigation Officer for review and coordination. The State is responsible for the initial review and coordination prior to sending the plan to the appropriate FEMA Regional Office for formal review and approval.</i>

The state is responsible for providing supplemental data to FEMA, as requested. For example, FEMA may request data on HMA mitigation grants to verify performance. Further, the state is responsible for reviewing and submitting approvable state, local, and tribal, as applicable, mitigation plans to FEMA. If the state is not submitting approvable mitigation plans, FEMA will provide feedback as well as technical assistance or training, as needed. The objective is to decrease the required plan revisions by ensuring that plan developers understand the requirements as early as possible in the planning process.

The state is responsible for communicating with local and tribal officials, as applicable, interested in applying through the state for FEMA assistance. FEMA encourages states to communicate with the appropriate officials regarding:

- Mitigation plan expiration dates;
- Consequences of not having a FEMA-approved mitigation plan with respect to eligibility for FEMA mitigation grants, such as [HMGP](#), [PDM](#), and [FMA](#); and
- Availability of funding and state-sponsored training and technical assistance

For more information on the mitigation plan requirement relative to eligibility for FEMA mitigation grants, refer to the [HMA Guidance](#).

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## SECTION 3: STANDARD STATE PLAN REQUIREMENTS

This section provides detailed guidance on how FEMA interprets the various requirements of the regulations for all standard state mitigation plan reviews. The guidance is limited only to the minimum requirements of what *must* be in a standard state mitigation plan, and does not provide guidance on *how* the state may develop a plan. Each “element” links to a specific regulation, and citations are provided for reference.

*FEMA will not grant conditional approvals of standard state mitigation plans; all requirements must be met at time of approval.*

This section is organized as follows:

- 3.1 Planning Process
- 3.2 Hazard Identification and Risk Assessment
- 3.3 Mitigation Strategy
- 3.4 State Mitigation Capabilities
- 3.5 Local Coordination and Mitigation Capabilities
- 3.6 Plan Review, Evaluation, and Implementation
- 3.7 Adoption and Assurances
- 3.8 Repetitive Loss Strategy

For additional information on standard state mitigation plan approvals, refer to Appendix A: Submission and Review Procedures.

### 3.1 *Planning Process*

The planning process is as important as the plan itself. Any successful planning activity, such as developing a comprehensive plan or local land use plan, involves a cross-section of stakeholders to reach consensus on desired outcomes or to resolve a problem. The result is a common set of values and widespread support for directing financial, technical, and human resources to an agreed-upon course of action, usually identified in a plan. The same is true for mitigation planning.

The [National Mitigation Framework](#) emphasizes the valuable role of collaboration among various sectors to ensure mitigation capabilities continually develop and that comprehensive mitigation includes strategies for all community systems. Examples of sectors with mitigation capabilities are those agencies and stakeholders with responsibility for:

- Hazard data;
- Climate projections and data;
- Emergency management;
- Economic development;
- Land use and development;
- Housing;
- Health and social services;
- Infrastructure; and
- Natural and cultural resources.

**“An effective planning process is essential in developing and maintaining a good plan.”**  
44 CFR §201.4(b)

ELEMENT	REQUIREMENTS
<p>S1. Does the plan describe the process used to develop the plan? [44 CFR §§201.4(b)<sup>7</sup> and (c)(1)<sup>8</sup>]</p> <p><b>Intent:</b> To demonstrate a deliberative approach to plan development.</p>	<p>The plan must describe the current process used to update the plan, including how the plan was prepared, the schedule or timeframe, specific milestones and activities, the agencies and stakeholders who were involved in the process, and if the mitigation planning process was integrated to the extent possible with other state planning efforts.</p> <p><b>Agencies and stakeholders</b> means state, local, and tribal agencies, colleges and universities, private entities, or private non-profit organizations, such as multi-jurisdictional utilities, that perform a critical function.</p> <p><b>Special Consideration:</b> The plan must describe the planning process, but supporting documentation, such as meeting sign-in sheets and notes, does not need to be included in the plan itself. States are encouraged to retain supporting documentation as a permanent record of how decisions were made and who was involved.</p>
<p>S2. Does the plan describe how the state coordinated with other agencies and stakeholders? [44 CFR §§201.4(b) and (c)(1)]</p> <p><b>Intent:</b> To actively involve stakeholders with the data and expertise to develop the plan, but also with the responsibility or authority to implement mitigation actions and reduce risk state-wide.</p>	<p>The plan must describe how other state and Federal agencies and other stakeholders were involved in the process. At a minimum, the plan must describe how the state coordinated with other agencies and stakeholders responsible for the following sectors:</p> <ol style="list-style-type: none"> <li>a. Emergency management;</li> <li>b. Economic development;</li> <li>c. Land use and development;</li> <li>d. Housing;</li> <li>e. Health and social services;</li> <li>f. Infrastructure; and</li> <li>g. Natural and cultural resources.</li> </ol> <p>Where coordination with agencies and stakeholders representing these sectors is not practicable, the plan must describe the limitations.</p> <p><b>Involved in the process</b> means engaged as participants and given the chance to provide input to affect the plan’s content.</p> <p><b>Special Consideration:</b> While coordination with other agencies and stakeholders is foundational to the success of the plan update as well as implementation, FEMA acknowledges the inherent differences in state governance and capabilities. In evaluating coordination, FEMA will credit the state’s efforts to engage other agencies and stakeholders.</p>

<sup>7</sup> 44 CFR §201.4(b): “*Planning process.* An effective planning process is essential in developing and maintaining a good plan. The mitigation planning process should include coordination with other state agencies, appropriate Federal agencies, interested groups, and be integrated to the extent possible with other ongoing state planning efforts as well as other FEMA mitigation programs and initiatives.”

<sup>8</sup> 44 CFR §201.4(c)(1): “Description of the *planning process* used to develop the plan, including how it was prepared, who was involved in the process, and how other agencies participated.”

### 3.2 Hazard Identification and Risk Assessment

The risk assessment provides the factual basis for activities proposed in the mitigation strategy that will reduce losses from identified hazards. The risk assessment makes a clear connection between the vulnerability and the proposed hazard mitigation actions. The risk assessment process focuses attention on areas most at risk by evaluating where populations, infrastructure, and critical facilities are vulnerable to hazards, and to what extent injuries or damage may occur.

Hazard mitigation planning includes a process to assess vulnerability, identify a strategy to guide decisions and investments, and implement actions that will reduce risk, including impacts from a changing climate. Changes in the probability of future hazard events may include changes in location, increases or decreases to the impacts, and/or extent of known natural hazards, such as floods or droughts. Changes in temperature, intensity, hazard distribution, and/or frequency of weather events may increase vulnerability to these hazards in the future.

FEMA’s Climate Change Adaptation Policy (2011-OPPA-01) directs FEMA programs and policies to integrate considerations of climate change adaptation<sup>9</sup>. The mitigation planning regulation (44 CFR Part 201) requires consideration of the probability of future hazard events as part of the risk assessment in order to reduce risks and potential damage.

Past occurrences are important to a factual basis of hazard risk; however, the challenges posed by climate change<sup>10</sup>, such as more intense storms, frequent heavy precipitation, heat waves, drought, extreme flooding, and higher sea levels, could significantly alter the types and magnitudes of hazards impacting states in the future. Due to the inherent

**Risk assessment evaluates where populations, infrastructure, and critical facilities are vulnerable to hazards, and to what extent injuries or damage may occur**

uncertainties with projections of future hazard events, states are expected to look across the whole community of partners (for example, public, private, academic, non-governmental, etc.) to identify the most relevant data and select the most appropriate methodologies to assess risks and vulnerability.

State risk assessments characterize the impacts of natural hazard on both state assets as well as the jurisdictions throughout the state. This overview allows the state to compare potential

<sup>9</sup> Authorities: The Homeland Security Act of 2002, as amended (6 U.S.C. 101 et seq.); the [Stafford Act](#); the President’s Executive Order 13514 “Federal Leadership in Environmental, Energy, and Economic Performance” (October 2009); the 2010 Climate Change Adaptation Report drafted by the Interagency Climate Change Adaptation Task Force; and the Instructions for Implementing Climate Change Adaptation Planning issued by the Council on Environmental Quality.

<sup>10</sup> According to the Intergovernmental Panel on Climate Change report, [Fourth Assessment Report: Climate Change 2007](#), climate change refers to “a statistically significant variation in either the mean state of the climate or in its variability, persisting for an extended period (typically decades or longer). Climate change may be due to natural internal processes or external forcings, or to persistent anthropogenic changes in the composition of the atmosphere or in land use.”

losses and determine priorities for mitigation measures for its own infrastructure and critical facilities, but also to prioritize jurisdictions for receiving technical and financial support in not only developing more detailed community risk assessments but in implementing mitigation actions.

FEMA encourages states to include summaries, evaluations, and overviews resulting from the *analysis* of risk assessment data, rather than the data itself, and to only include raw data, as needed, in support of summaries or conclusions.

ELEMENT	REQUIREMENTS
<p>S3. Does the risk assessment include an overview of the type and location of all natural hazards that can affect the state? [44 CFR §201.4(c)(2)(i)<sup>11</sup>]</p> <p><b><i>Intent:</i></b> To understand natural hazards across the state in order to identify which hazard risks have been or may be the most significant and the locations that have been or may be the most adversely affected.</p>	<p>a. The plan must include a current summary of the natural hazards that can affect the state. The summary must include information on location, extent, and previous occurrences for each natural hazard, using maps where appropriate.</p> <p>b. If any commonly recognized natural hazards are omitted, the plan must provide an explanation.</p> <p><b><i>Manmade or human-caused hazards</i></b> may be included in the risk assessment but are not required. FEMA will neither review these hazards nor require the removal of this extra information prior to plan approval.</p> <p><b><i>Natural hazards</i></b> are a source of harm or difficulty created by a meteorological, environmental, or geological phenomenon or combination of phenomena.<sup>12</sup></p> <p><b><i>Risk</i></b> for the purpose of hazard mitigation planning is the potential for damage or loss created by the interaction of natural hazards with assets, such as buildings, infrastructure, or natural and cultural resources.</p> <p><b><i>Extent</i></b> means the strength or magnitude of the hazard. Extent is not the same as impacts.</p> <p><b><i>Impacts</i></b> are the consequences or effect of the hazard on the state, including assets and jurisdictions. The type and severity of the impact depend on the vulnerability of the asset, as well as the capabilities in place to mitigate, prepare for, respond to, and recover from events.</p> <p>The exposure of people and assets to natural hazards can result in disasters, depending on the impacts.</p>

<sup>11</sup> 44 CFR §201.4(c)(2)(i): “An overview of the type and location of all natural hazards that can affect the state, including information on previous occurrences of hazard events, as well as the probability of future hazard events, using maps where appropriate;”

<sup>12</sup> U.S. Department of Homeland Security Risk Lexicon, 2010 Edition.

ELEMENT	REQUIREMENTS
<p>S4. Does the risk assessment provide an overview of the probabilities of future hazard events? [44 CFR §201.4(c)(2)(i)]</p> <p><b><i>Intent:</i></b> To understand the probability of hazard events in the future as the basis for anticipated impacts of hazard risks statewide.</p>	<p>a. The risk assessment must provide a summary of the probability of future hazard events that includes projected changes in occurrences for each natural hazard in terms of location, extent, intensity, frequency, and/or duration.</p> <p>b. Probability must include considerations of changing future conditions, including the effects of long-term changes in weather patterns and climate on the identified hazards.</p> <p><b><i>Probability</i></b> means the likelihood of the hazard occurring and may be defined in terms of general descriptors (for example, unlikely, likely, highly likely), historical frequencies, statistical probabilities (for example: 1% chance of occurrence in any given year), and/or hazard probability maps. If using general descriptors, then the plan must provide a definition. For example, “highly likely” could be defined as equals near 100% chance of occurrence next year or happens every year.</p>
<p>S5. Does the risk assessment address the vulnerability of state assets located in hazard areas and estimate the potential dollar losses to these assets? [44 CFR §§201.4(c)(2)(ii)<sup>13</sup> and 201.4(c)(2)(iii)<sup>14</sup>]</p> <p><b><i>Intent:</i></b> To understand vulnerability of assets critical for state resilience as a basis for identifying and prioritizing mitigation actions.</p>	<p>a. The risk assessment must include an analysis of the potential impacts of hazard events to state assets and a summary of the assets most vulnerable to the identified hazards. These assets may be located in the identified hazard areas or affected by the probability of future hazard events.</p> <p>b. The risk assessment must estimate potential dollar losses to state assets located in identified hazard areas.</p> <p>Vulnerability and potential losses are not a list or inventory of state facilities but the summary of the potential impacts to those assets from the identified hazards. Factors affecting vulnerability may include asset use and function as well as construction type, age, or intended use.</p> <p><b><i>State assets</i></b> may include state-owned or operated buildings, infrastructure, and critical facilities.</p> <p><b><i>Critical facilities</i></b><sup>15</sup> means structures that the state determines must continue to operate before, during, and after an emergency and/or hazard event and/or are vital to health and safety. Examples of critical facilities may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• Emergency operations centers, police and fire stations, and storage facilities (including data storage).</li> <li>• Structures that house occupants with restricted mobility or access and/or functional needs, such as hospitals, institutions, and shelters.</li> <li>• Utility generating, transmission, and storage facilities and related infrastructure, such as power and/or water treatment plants.</li> <li>• Transportation facilities, such as ports, airports, roads, railroads, bridges, and/or tunnels.</li> </ul>

<sup>13</sup> 44 CFR §201.4(c)(2)(ii): “An overview and analysis of the State's vulnerability to the hazards described in this paragraph (c)(2), based on estimates provided in local risk assessments as well as the State risk assessment. The State shall describe vulnerability in terms of the jurisdictions most threatened by the identified hazards, and most vulnerable

ELEMENT	REQUIREMENTS
<p>S6. Does the risk assessment include an overview and analysis of the vulnerability of jurisdictions to the identified hazards and the potential losses to vulnerable structures? [44 CFR §§201.4(c)(2)(ii) and 201.4(c)(2)(iii)]</p> <p><b><i>Intent:</i></b> To understand potential impacts of future hazard events on jurisdictions throughout the state as the basis for identifying and prioritizing mitigation actions.</p>	<p>a. The risk assessment must provide a current summary of the most vulnerable jurisdictions based on the state, local, and tribal, as applicable, risk assessments. Vulnerability must be analyzed in terms of:</p> <ol style="list-style-type: none"> <li>1. Jurisdictions most threatened by the identified hazards (based on hazard location, extent, and probability).</li> <li>2. Jurisdictions most susceptible to damage and loss from hazard events related to populations and assets (such as, structures, infrastructure, critical facilities, and systems). These populations and assets may be located in the identified hazard areas or affected by the probability of future hazard events.</li> </ol> <p>b. The risk assessment must include a summary of the potential losses to the identified vulnerable structures based on estimates in the local risk assessments as well as the state risk assessment.</p> <p>c. <i>If the state is interested in an increased Federal cost share under the FMA program, the risk assessment must address repetitive loss (RL) and SRL properties.<sup>16</sup> (See RLI in Section 3.8 Repetitive Loss Strategy.)</i></p> <div style="background-color: #e0e0e0; padding: 5px; margin-top: 10px;"> <p><b>Special Consideration:</b> An overview or summary provides the results of the analysis and does not need to include the details from each local plan. An example is a list of key issues or problem statements that clearly describes the greatest vulnerabilities and compares losses across the state, allowing the state to determine mitigation priorities.</p> </div>

to damage and loss associated with hazard events. State owned or operated critical facilities located in the identified hazard areas shall also be addressed.”

<sup>14</sup> 44 CFR §201.4(c)(2)(iii): “An overview and analysis of potential losses to the identified vulnerable structures, based on estimates provided in local risk assessments as well as the State risk assessment. The State shall estimate the potential dollar losses to State owned or operated buildings, infrastructure, and critical facilities located in the identified hazard areas.”

<sup>15</sup> Adapted from 44 CFR §9.4 Definitions (critical action) and National Flood Insurance Program Community Rating System Coordinator’s Manual (2013); definition and examples do not supersede any regulatory definitions.

<sup>16</sup> For the current RL and SRL property definitions consistent with the changes in the BW-12, refer to the HMA Guidance (Part VIII. Additional Program Guidance: C. Flood Mitigation Assistance Program).

ELEMENT	REQUIREMENTS
<p>S7. Was the risk assessment revised to reflect changes in development? [44 CFR §201.4(d)<sup>17</sup>]</p> <p><b><i>Intent:</i></b> <i>To ensure that the mitigation strategy addresses the risk and vulnerabilities to existing and potential development, and takes into consideration possible future conditions that can impact statewide vulnerability.</i></p>	<p>The plan must provide a summary of the changes in development that have occurred or are projected to occur in hazard prone areas based on the state, local, and tribal, as applicable, risk assessments, specifically:</p> <ol style="list-style-type: none"> <li>a. Changes in land use and the built environment;</li> <li>b. Changes in population demographics that may affect vulnerability to hazard events; and</li> <li>c. Changes to the vulnerability of state-owned or operated buildings, infrastructure, and critical facilities.</li> </ol> <p><b><i>Changes in development</i></b> means recent development, potential and projected land use and development, or conditions that may affect risk and vulnerability to the state and jurisdictions within the state, such as changes in population demographics.</p>

### 3.3 Mitigation Strategy

The mitigation strategy serves as the long-term blueprint for reducing the potential losses identified in the risk assessment, or in other words the mitigation strategy represents risk-based decisions. Included in the strategy are goals, or the long-term policy statements and global visions that support the mitigation strategy. The [Stafford Act](#) directs state mitigation plans to identify hazard mitigation goals and actions and establish a strategy to implement those actions.

A critical component of updating the state’s mitigation strategy is the consideration of and inclusion of the local and tribal, as applicable, mitigation plan strategies. By reviewing, prioritizing, and incorporating the types or categories of actions identified by communities, the state can better understand how it can support investments in local and tribal, as applicable, mitigation efforts. The state is thus pre-positioned to provide the appropriate resources for this support when available, such as post-disaster when recovery and mitigation assistance are authorized.

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<sup>17</sup> 44 CFR §201.4(d): “*Review and updates.* Plan must be reviewed and revised to reflect changes in development, progress in statewide mitigation efforts, and changes in priorities and resubmitted for approval to the appropriate Regional Administrator every 5 years.”

ELEMENT	REQUIREMENTS
<p>S8. Does the mitigation strategy include goals to reduce long-term vulnerabilities from the identified hazards? [44 CFR §201.4(c)(3)(i)<sup>18</sup>]</p> <p><b><i>Intent:</i></b> <i>To guide development and implementation of hazard mitigation actions. Goals are statements of the vision for the future.</i></p>	<ul style="list-style-type: none"> <li>a. The plan must identify hazard mitigation goals representing what the state seeks to accomplish through mitigation plan implementation.</li> <li>b. The goals must be consistent with the hazards and vulnerabilities identified in the risk assessment.</li> <li>c. The goals must address reducing the vulnerability of jurisdictions within the state as well as the vulnerability of state-owned or operated buildings, infrastructure, and critical facilities.</li> <li>d. <i>If the state is interested in an increased Federal cost share under the FMA program, the plan must include goals to address RL and SRL properties. (See RL2 in Section 3.8 Repetitive Loss Strategy.)</i></li> </ul> <p><b><i>Goals</i></b> are broad, long-term policy and vision statements that explain what is to be achieved by implementing the mitigation strategy.</p>
<p>S9. Does the plan prioritize mitigation actions to reduce vulnerabilities identified in the risk assessment? [44 CFR §§201.4(c)(3)(iii)<sup>19</sup> and (iv)<sup>20</sup>]</p> <p><b><i>Intent:</i></b> <i>To establish specific hazard mitigation actions that will be implemented to reduce the vulnerabilities identified in the risk assessment. This is the heart of the mitigation plan, and is essential to leading statewide mitigation programs to reduce risk.</i></p>	<ul style="list-style-type: none"> <li>a. The plan must identify actions based on the current risk assessment to reduce the vulnerability of jurisdictions within the state as well as the vulnerability of state-owned or operated buildings, infrastructure, and critical facilities.</li> <li>b. The plan must describe the process used by the state to evaluate and prioritize actions that are cost effective, environmentally sound, and technically feasible.</li> <li>c. The plan must describe how each action contributes to the hazard mitigation goals.</li> <li>d. The plan must describe how the local and tribal, as applicable, mitigation strategies are linked with the state mitigation strategy.</li> <li>e. <i>If the state is interested in an increased Federal cost share under the FMA program, the plan must address RL and SRL properties in the risk assessment. (See RL3 in Section 3.8 Repetitive Loss Strategy.)</i></li> </ul>

<sup>18</sup> 44 CFR §201.4(c)(3)(i): “A description of State goals to guide the selection of activities to mitigate and reduce potential losses.”

<sup>19</sup> 44 CFR §201.4(c)(3)(iii): “An identification, evaluation, and prioritization of cost-effective, environmentally sound, and technically feasible mitigation actions and activities the State is considering and an explanation of how each activity contributes to the overall mitigation strategy. This section should be linked to local plans, where specific local actions and projects are identified.”

<sup>20</sup> 44 CFR §201.4(c)(3)(iv): “Identification of current and potential sources of Federal, State, local, or private funding to implement mitigation activities.”



ELEMENT	REQUIREMENTS
<p>S10. Does the plan identify current and potential sources of funding to implement mitigation actions and activities? [44 CFR §201.4(c)(3)(iv)]</p> <p><b>Intent:</b> <i>For the responsible entity to take action to complete activities and projects as funding opportunities to implement them arise.</i></p>	<ul style="list-style-type: none"> <li>a. Each mitigation action or project must include the identification of current and/or potential sources of Federal, state, local, tribal, as applicable, or private funding for implementation.</li> <li>b. At a minimum, the plan must identify FEMA mitigation funding sources, including, if applicable, but not limited to HMGP, PDM, FMA, and PA C-G.<sup>21</sup></li> <li>c. <i>If the state is interested in an increased Federal cost share under the FMA program, the plan must address identify current and potential sources of funding with respect to RL and SRL properties. (See RL4 in Section 3.8 Repetitive Loss Strategy.)</i></li> </ul>
<p>S11. Was the plan updated to reflect progress in statewide mitigation efforts and changes in priorities? [44 CFR §201.4(d)]</p> <p><b>Intent:</b> <i>To evaluate progress in implementing the mitigation strategy and to ensure the plan reflects current conditions, including financial, legal, and political realities and post-disaster conditions.</i></p>	<ul style="list-style-type: none"> <li>a. The plan must describe the status of hazard mitigation actions in the previous plan by identifying those that have been completed or not completed. For those actions not completed, the plan must provide a narrative describing the status (for example, is the action relevant or will it be included in the plan update).</li> <li>b. The prioritization of mitigation actions and activities must be updated based on the updated analysis of risks, capabilities, and progress.</li> </ul>

### 3.4 State Mitigation Capabilities

Capabilities provide the means to accomplish a desired outcome. In the context of mitigation planning, the state capability assessment should not only address the ways the state’s existing capabilities can aid the mitigation effort, but also address areas in which the state needs to strengthen its capabilities. This is not simply a list or report of existing programs, but an assessment based on existing capabilities that demonstrates the state’s commitment to mitigation, identifies a wide range of resources from which to implement mitigation activities, and reveals areas to target improvements. Without an assessment of the state’s capability, implementation of the plan could stall from inadequate resources.

<sup>21</sup> [Stafford Act](#), §406(e) Repair, Restoration, and Replacement of Damaged Facilities and 44 CFR §206.226 Restoration of damaged facilities. [FEMA Recovery Policy 9526.1 “Hazard Mitigation Funding Under Section 406 \(Stafford Act\)”](#), dated March 30, 2010.

ELEMENT	REQUIREMENTS
<p>S12. Does the plan discuss the evaluation of the state’s hazard management policies, programs, capabilities, and funding sources to mitigate the hazards identified in the risk assessment? [44 CFR §201.4(c)(3)(ii)<sup>22</sup>]</p> <p><b><i>Intent:</i></b> <i>To identify and build the state’s capabilities to reduce risk and increase resilience.</i></p>	<p>The plan must describe existing state pre- and post-disaster hazard management policies, programs, and capabilities to mitigate the hazards in the state, including:</p> <ol style="list-style-type: none"> <li>a. An evaluation of state laws, regulations, policies, and programs related to hazard mitigation, as well as to development in hazard-prone areas, to include the state’s administration of the:               <ol style="list-style-type: none"> <li>1. National Flood Insurance Program (NFIP) and Community Rating System (CRS); and</li> <li>2. Risk Mapping, Assessment, and Planning (Risk MAP) program.</li> </ol> </li> <li>b. A discussion of state funding capabilities for hazard mitigation projects, including:               <ol style="list-style-type: none"> <li>1. A general description of how the state has used its own funds for hazard mitigation projects; and</li> <li>2. A general discussion of how the state has used FEMA mitigation programs and funding sources, including but not limited to:                   <ol style="list-style-type: none"> <li>a. HMGP, PDM, and FMA; and</li> <li>b. PA C-G.</li> </ol> </li> </ol> </li> <li>c. A general summary of:               <ol style="list-style-type: none"> <li>1. Obstacles and challenges; and</li> <li>2. Changes since the previous plan approval.</li> </ol> </li> </ol>

### 3.5 Local Coordination and Mitigation Capabilities

Just as all disasters are local, all mitigation is local. The state bears the responsibility of supporting local and tribal, as applicable, governments with mitigation planning through training, technical assistance, and where available, funding. This ensures that the community is aware of hazard data, planning resources, and state priorities for mitigation. Likewise, consideration of local and tribal, as applicable, mitigation strategies and capabilities informs and influences the state’s risk assessment and mitigation priorities.

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<sup>22</sup> 44 CFR §201.4(c)(3)(ii): “A discussion of the State’s pre and post-disaster hazard management policies, programs, and capabilities to mitigate the hazards in the area, including: an evaluation of State laws, regulations, policies, and programs related to hazard mitigation as well as to development in hazard-prone areas; a discussion of State funding capabilities for hazard mitigation projects; a general description and analysis of the effectiveness of local mitigation policies, programs, and capabilities.”

ELEMENT	REQUIREMENTS
<p>S13. Does the plan generally describe and analyze the effectiveness of local and tribal, as applicable, mitigation policies, programs, and capabilities? [44 CFR §201.4(c)(3)(ii)]</p> <p><b><i>Intent:</i></b> To ensure the state understands the local and tribal, as applicable, jurisdictions' capabilities to accomplish hazard mitigation, particularly as capability varies across jurisdictions.</p>	<ul style="list-style-type: none"> <li>a. The plan must provide a general summary of current local and tribal, as applicable, policies, programs, and capabilities of jurisdictions to accomplish hazard mitigation.</li> <li>b. The plan must describe the effectiveness of local and tribal, as applicable, mitigation policies, programs, and capabilities, including:                             <ul style="list-style-type: none"> <li>1. Challenges to implementing local and tribal, as applicable, mitigation policies, programs, and capabilities.</li> <li>2. Opportunities for implementing mitigation actions through local and tribal, as applicable, capabilities.</li> </ul> </li> <li>c. <i>If the state is interested in an increased Federal share under the FMA program, the plan must include RL and SRL properties in the analysis of effectiveness. (See RL5 in Section 3.8 Repetitive Loss Strategy.)</i></li> </ul>
<p>S14. Does the plan describe the process to support the development of approvable local and tribal, as applicable, mitigation plans? [44 CFR §§201.3(c)(5)<sup>23</sup> and 201.4(c)(4)(i)<sup>24</sup>]</p> <p><b><i>Intent:</i></b> To direct state resources toward effective local and tribal, as applicable, mitigation planning.</p>	<ul style="list-style-type: none"> <li>a. The plan must describe how the state supports developing or updating FEMA-approvable local and tribal, as applicable, mitigation plans, including the process used to provide:                             <ul style="list-style-type: none"> <li>1. Training;</li> <li>2. Technical assistance; and</li> <li>3. Funding [<i>NOTE: criteria for prioritizing funding for planning and project awards are addressed in S15</i>].</li> </ul> </li> <li>b. The plan must provide a summary of the:                             <ul style="list-style-type: none"> <li>1. FEMA-approved local and tribal, as applicable, mitigation plan coverage;</li> <li>2. Barriers to developing or updating, adopting, and implementing FEMA-approved local and tribal, as applicable, mitigation plans; and</li> <li>3. Approach to remove barriers in order to advance local and tribal, as applicable, mitigation planning.</li> </ul> </li> </ul>

<sup>23</sup> 44 CFR §201.3(c)(5): “Provide technical assistance and training to local governments to assist them in applying for HMGP planning grants, and in developing local mitigation plans.”

<sup>24</sup> 44 CFR §201.4(c)(4)(i): “A description of the State process to support, through funding and technical assistance, the development of local mitigation plans.”

ELEMENT	REQUIREMENTS
<p>S15. Does the plan describe the criteria for prioritizing funding? [44 CFR §201.4(c)(4)(iii)<sup>25</sup>]</p> <p><b><i>Intent:</i></b> <i>To guide investment decisions and communicate state priorities for mitigation actions.</i></p>	<p>a. The plan must describe criteria for prioritizing jurisdictions to receive planning and project grants under available Federal and non-Federal programs. A principal criterion for prioritizing grants shall be the extent to which benefits are maximized.</p> <p>b. <i>If the state is interested in an increased Federal share under the FMA program, the plan must address RL and SRL properties when prioritizing funding. (See RL6 in Section 3.8 Repetitive Loss Strategy.)</i></p>
<p>S16. Does the plan describe the process and timeframe to review, coordinate, and link local and tribal, as applicable, mitigation plans with the state mitigation plan? [44 CFR §§201.3(c)(6),<sup>26</sup> 201.4(c)(2)(ii), 201.4(c)(3)(iii), and 201.4(c)(4)(ii)<sup>27</sup>]</p> <p><b><i>Intent:</i></b> <i>To streamline the review and approval of local and tribal, as applicable, mitigation plans, create a common understanding of risk, and align mitigation strategies between state, local, and tribal, as applicable, plans.</i></p>	<p>a. The plan must describe the process and timeframe used by the state to review and submit approvable local and tribal, as applicable, mitigation plans to FEMA.</p> <p>b. The plan must describe the process and timeframe used by the state to coordinate and link risk assessments and mitigation strategy information from local and tribal, as applicable, mitigation plans into the state mitigation plan.</p>

### 3.6 Plan Review, Evaluation, and Implementation

In order to continue to be an effective representation of the state’s overall strategy for reducing risks from natural hazards, the mitigation plan must reflect current conditions, including trends or anticipated growth and development statewide. Impacts of future hazard events on current and projected land use and development should be the driving influence of decisions on mitigation priorities for the next five years, but should also look outward to the long-term 10- or 20-year planning period.

The plan update is an opportunity for the state to assess previous goals and action plan, evaluate progress in implementing hazard mitigation actions, and adjust actions to

<sup>25</sup> 44 CFR §201.4(c)(4)(iii): “Criteria for prioritizing communities and local jurisdictions that would receive planning and project grants under available funding programs, which should include consideration for communities with the highest risks, repetitive loss properties, and most intense development pressures. Further, that for non-planning grants, a principal criterion for prioritizing grants shall be the extent to which benefits are maximized according to a cost benefit review of proposed projects and their associated costs.”

<sup>26</sup> 44 CFR §201.3(c)(6): “For Managing States that have been approved under the criteria established by FEMA pursuant to 42 U.S.C. 5170c(c), review and approve local mitigation plans in accordance with §201.6(d).”

<sup>27</sup> 44 CFR §201.4(c)(4)(ii): “A description of the State process and timeframe by which the local plans will be reviewed, coordinated, and linked to the State Mitigation Plan.”

address the current and projected realities. Where conditions of growth or revisions in priorities may have changed very little, much of the text in the updated plan may be unchanged. This is acceptable as long as the plan still fits the priorities of the state and reflects current conditions.

ELEMENT	REQUIREMENTS
<p>S17. Is there a description of the method and schedule for keeping the plan current? [44 CFR §§201.4(c)(5)(i)<sup>28</sup> and 201.4(d)<sup>29</sup>]</p> <p><b><i>Intent:</i></b> <i>To ensure the implementation of the plan over time, but also to ensure the plan remains current and reflects changes to the statewide mitigation program.</i></p>	<p>The plan must describe the process to monitor, evaluate, and update the plan, specifically the:</p> <ol style="list-style-type: none"> <li>a. Agency/office responsible for monitoring, evaluating, and updating; and</li> <li>b. Schedule for monitoring, evaluating, and updating.</li> </ol> <p><b><i>Monitoring</i></b> means tracking the relevance and implementation of the plan over time and includes all elements of the plan.</p> <p><b><i>Evaluating</i></b> means assessing the effectiveness of the plan at achieving the goals and objectives.</p> <p><b><i>Special Consideration:</i></b> Various methods are possible for keeping the plan current. For example, one method may be to amend the plan, as appropriate, using annexes to document changes during the plan approval period that can be more fully integrated during the next plan update cycle.</p>
<p>S18. Does the plan describe the systems for monitoring implementation and reviewing progress? [44 CFR §§201.4(c)(5)(ii)<sup>30</sup> and 201.4(c)(5)(iii)<sup>31</sup>]</p> <p><b><i>Intent:</i></b> <i>To establish a process for collecting and evaluating feedback on the state’s progress toward long-term goals for resiliency.</i></p>	<ol style="list-style-type: none"> <li>a. The plan must describe the system for tracking the implementation of the mitigation activities and projects identified in the mitigation strategy. This includes all mitigation activities, not just those funded by FEMA.</li> <li>b. The system must include the following:             <ol style="list-style-type: none"> <li>1. A schedule;</li> <li>2. Agency/office responsible for coordination; and</li> <li>3. Role of the agencies/offices identified in the mitigation strategy as responsible for implementation of actions.</li> </ol> </li> <li>c. The plan must describe a system for reviewing progress on achieving the goals of the mitigation strategy that includes the criteria and process for evaluating progress.</li> </ol>

### 3.7 Adoption and Assurances

Plan adoption by the state’s highest elected official or designee demonstrates commitment to the mitigation strategy and may serve as a means to communicate

<sup>28</sup> 44 CFR §201.4(c)(5)(i): “An established method and schedule for monitoring, evaluating, and updating the plan.”

<sup>29</sup> 44 CFR §201.4(d): “Plan must be reviewed and revised to reflect changes in development, progress in statewide mitigation efforts, and changes in priorities and resubmitted for approval to the appropriate Regional Administrator every five years.”

<sup>30</sup> 44 CFR §201.4(c)(5)(ii): “A system for monitoring implementation of mitigation measures and project closeouts.”

<sup>31</sup> 44 CFR §201.4(c)(5)(iii): “A system for reviewing progress on achieving goals as well as activities and projects identified in the Mitigation Strategy.”

priorities to entities within the state agencies regarding vulnerability and mitigation measures. Plan adoption by the state’s highest elected official or designee may increase awareness of and support from the state agencies with mitigation capabilities and responsibilities, not just the state agency responsible for the mitigation planning program.

The assurances convey that the state is aware of and understands the obligations to comply with applicable Federal statutes and regulations.

ELEMENT	REQUIREMENTS
<p>S19. Did the state provide documentation that the plan has been formally adopted? [44 CFR §201.4(c)(6)<sup>32</sup>]</p> <p><b><i>Intent:</i></b> Adoption demonstrates commitment to the goals and actions identified in the plan. Ideally, adoption by the highest elected official or designee provides statewide recognition and demonstrates risk reduction as a statewide priority.</p>	<p>The state must provide documentation of formal adoption by the highest elected official or designee prior to the final review and approval by FEMA. Documentation of formal adoption may be a resolution or other mechanism.</p> <p><b><i>Highest elected official or designee</i></b> means a senior state official with authority to commit the various state agencies responsible for implementing the mitigation actions identified in the plan.</p> <p><b><i>Special Consideration:</i></b> After all other plan requirements have been met and FEMA has received the formal adoption documentation, FEMA will provide a letter indicating the plan is approved. See Appendix A: Submission and Review Procedures.</p>
<p>S20. Did the state provide assurances? [44 CFR §201.4(c)(7)]</p> <p><b><i>Intent:</i></b> To confirm the state’s intent to comply with all applicable Federal statutes and regulations.</p>	<p>a. The plan must include assurances that the state will manage and administer FEMA funding in accordance with applicable Federal statutes and regulations. For information on FEMA mitigation grants programs award administration requirements, refer to the <a href="#">HMA Guidance</a> (Part VI. Award Administration Information). For example, reporting requirements include, but are not limited to, submitting quarterly financial and performance reports on time.</p> <p>b. The plan must include assurances that the state will amend its plan whenever necessary to reflect changes in state or Federal laws and statutes.</p> <p><b><i>Special Consideration:</i></b> For information regarding consequences of failure to comply with applicable Federal statutes and regulations, see Appendix A: Submission and Review Procedures.</p>

<sup>32</sup> 44 CFR §201.4(c)(6): “A Plan Adoption Process. The plan must be formally adopted by the State prior to submittal to us for final review and approval.”

**3.8 Repetitive Loss Strategy**

44 CFR	REGULATORY TEXT
§201.2	<p><i>Severe Repetitive Loss properties<sup>33</sup> are defined as single or multifamily residential properties that are covered under an NFIP flood insurance policy and:</i></p> <p style="padding-left: 40px;"><i>(1) That have incurred flood-related damage for which 4 or more separate claims payments have been made, with the amount of each claim (including building and contents payments) exceeding \$5,000, and with the cumulative amount of such claims payments exceeding \$20,000; or</i></p> <p style="padding-left: 40px;"><i>(2) For which at least 2 separate claims payments (building payments only) have been made under such coverage, with cumulative amount of such claims exceeding the market value of the property.</i></p> <p style="padding-left: 40px;"><i>(3) In both instances, at least 2 of the claims must be within 10 years of each other, and claims made within 10 days of each other will be counted as 1 claim.</i></p>
§201.3(c)(1)	<p>[Note: text repeated from Section 2.2 State Responsibilities]</p> <p><i>Prepare and submit to FEMA a Standard State Mitigation Plan following the criteria established in §201.4 as a condition of receiving non-emergency Stafford Act assistance and FEMA mitigation grants. In addition, a State may choose to address severe repetitive loss properties in their plan as identified in §201.4(c)(3)(v) to receive the reduced cost share for the Flood Mitigation Assistance (FMA)<sup>34</sup> and Severe Repetitive Loss (SRL) programs,<sup>35</sup> pursuant to §79.4(c)(2) of this chapter.</i></p>
§201.4(c)(3)(v)	<p><i>A State may request the reduced cost share authorized under §79.4(c)(2) of this chapter for the FMA and SRL<sup>36</sup> programs, if it has an approved State Mitigation Plan meeting the requirements of this section that also identifies specific actions the State has taken to reduce the number of repetitive loss properties (which must include severe repetitive loss properties), and specifies how the State intends to reduce the number of such repetitive loss properties. In addition, the plan must describe the strategy the State has to ensure that local jurisdictions with severe repetitive loss properties take actions to reduce the number of these properties, including the development of local mitigation plans.</i></p>

The Repetitive Loss Strategy identifies actions to reduce damage to RL and SRL properties throughout the state. For information on defining RL properties and areas and

<sup>33</sup> For the current severe repetitive loss property definition consistent with the changes in the BW-12, refer to the [HMA Guidance](#) (Part VIII. Additional Program Guidance: C. Flood Mitigation Assistance Program).

<sup>34</sup> Under FMA, the Federal cost share is 90 percent for repetitive loss properties and 100 percent for severe repetitive loss properties [42 U.S.C. §4104c(d)(1),(2)].

<sup>35</sup> BW-12 consolidated the SRL program into the FMA program.

<sup>36</sup> BW-12 consolidated the SRL program into the FMA program.

identifying flood mitigation activities, as well as to access the “Repetitive Loss Update Worksheet” (AW-501), refer to the NFIP CRS [Coordinator’s Manual](#).

Under the FMA program, states have the option to develop a Repetitive Loss Strategy for RL and SRL properties to be eligible to request an increased Federal cost share. For FMA program requirements, including eligible property requirements and definitions for RL and SRL properties consistent with the changes in BW-12, refer to the [HMA Guidance](#) (Part VIII. Additional Program Guidance: C. Flood Mitigation Assistance Program).

To be eligible for the increased Federal cost share under FMA, the Repetitive Loss Strategy must address the following requirements:

ELEMENT	REQUIREMENTS
RL. Did the state develop a Repetitive Loss Strategy? [44 CFR §201.4(c)(3)(v)]  <i><b>Intent:</b> Describe how the state intends to reduce the number of repetitive loss properties (which must include severe repetitive loss properties).</i>	1. RL1. Did Element S6 (risk assessment) address RL and SRL properties? [44 CFR §§201.4(c)(2)(ii), 201.4(c)(2)(iii), and 201.4(c)(3)(v)] 2. RL2. Did Element S8 (mitigation goals) address RL and SRL properties? [44 CFR §§201.4(c)(3)(i) and 201.4(c)(3)(v)] 3. RL3. Did Element S9 (mitigation actions) address RL and SRL properties? [44 CFR §§201.4(c)(3)(iii) and 201.4(c)(3)(v)] 4. RL4. Did Element S10 (funding sources) address RL and SRL properties? [44 CFR §§201.4(c)(3)(iv) and 201.4(c)(3)(v)] 5. RL5. Did Element S13 (local and tribal [as applicable] capabilities) address RL and SRL properties? [44 CFR §§201.4(c)(3)(ii) and 201.4(c)(3)(v)] 6. RL6. Did Element S15 (prioritizing funding) address RL and SRL properties? [44 CFR §§201.4(c)(4)(iii) and 201.4(c)(3)(v)]
	<p><i><b>Special Consideration:</b> Descriptions of the various programs and initiatives to meet this requirement do not need to be repeated in a separate section. However, if the documentation to meet this requirement is not a separate section, the Plan Review Tool (refer to Appendix B: State Mitigation Plan Review Tool) should identify where in the plan the descriptions are found.</i></p>



## SECTION 4: ENHANCED STATE PLAN REQUIREMENTS

A FEMA-approved enhanced state mitigation plan documents sustained, proven commitment to hazard mitigation. This designation recognizes current or ongoing proactive efforts in implementing a comprehensive program. The enhanced status acknowledges the coordinated effort a state<sup>37</sup> currently is taking to reduce losses, protect life and property, and create safer communities. Approval of an enhanced state mitigation plan results in eligibility for increased HMGP funding.

44 CFR	REGULATORY TEXT
§201.5(a)	<i>A State with a FEMA-approved Enhanced State Mitigation Plan at the time of a disaster declaration is eligible to receive increased funds under the HMGP, based on twenty percent of the total estimated eligible Stafford Act disaster assistance. The Enhanced State Mitigation Plan must demonstrate that a State has developed a comprehensive mitigation program, that the State effectively uses available mitigation funding, and that it is capable of managing the increased funding. In order for the State to be eligible for the 20 percent HMGP funding, FEMA must have approved the plan within 5 years prior to the disaster declaration.</i>

The capabilities listed in 44 CFR §201.5(a) demonstrate increased capabilities that build on, and exceed, the standard mitigation plan requirements. States seeking Enhanced status must “demonstrate” through a narrative and examples that the state is already clearly engaged in processes, activities or initiatives that further risk reduction. FEMA expects that information on the state processes, activities, or initiatives are already incorporated into the plan or can be independently validated.

*FEMA will not grant conditional approvals of Enhanced state mitigation plans; all requirements must be met at time of approval.*

This section provides detailed guidance on how FEMA interprets the various requirements of the regulation for all enhanced state mitigation plan reviews. The guidance is limited only to the minimum requirements of what *must* be in an enhanced state mitigation plan, and does not provide guidance on *how* the state may develop a plan. Each element links to a specific regulation, and citations are provided for reference.

This section is organized as follows:

- 4.1 Meet Required Standard Plan Elements
- 4.2 Integrated Planning
- 4.3 State Mitigation Capabilities
- 4.4 HMA Grants Management Performance

For additional information on enhanced state mitigation plan approvals, please see Appendix A: Submission and Review Procedures.

<sup>37</sup> 44 CFR §201.3(e)(3): “In order to be considered for the increased HMGP funding, the Tribal Mitigation Plan must meet the Enhanced State Mitigation Plan criteria identified in §201.5.”

#### 4.1 Meet Required Standard Plan Elements

In order to be considered for Enhanced status, the plan must contain all of the required elements of the standard state mitigation plan.

ELEMENT	REQUIREMENTS
E1. Does the enhanced plan include all elements of the standard state mitigation plan? [44 CFR §201.5(b) <sup>38</sup> ]	The enhanced plan must meet all the required elements of the standard state mitigation plan.
<i><b>Intent:</b> To meet the minimum requirements for a state mitigation plan under 44 CFR §201.4.</i>	

#### 4.2 Integrated Planning

States that are “enhanced” can demonstrate a history of integration with agencies and stakeholders with mitigation capabilities or shared objectives to reduce risks from natural hazards. The [National Mitigation Framework](#) describes integration in terms of “Coordinating Structures,” which include the organizations, agencies, groups, committees, and teams that carry out activities in support of building resiliency. It also includes other programs, procedures, or initiatives carried out by a cross-section of state partners that work together to identify and implement effective, long-term mitigation solutions. For example, the [Silver Jackets](#) program developed through the U.S. Army Corps of Engineers facilitates the integration of agencies in various states.<sup>39</sup>

In terms of enhanced state mitigation planning, integrated planning means embedding mitigation in other state planning, decision making, and development, as well as enabling other agency planning initiatives to inform the state’s mitigation strategy. No single agency can be solely responsible for mitigation across all community sectors, but collaboration among stakeholders with the authority, interest, and expertise to implement mitigation measures enables the leveraging of resources to reduce risk and increase resilience.

<sup>38</sup> 44 CFR §201.5(b): “Enhanced State Mitigation Plans must include all elements of the Standard State Mitigation plan identified in §201.4.”

<sup>39</sup> [National Mitigation Framework](#), FEMA, May 2013.

ELEMENTS	REQUIREMENTS
<p>E2. Does the plan demonstrate integration to the extent practicable with other state and/or regional planning initiatives and FEMA mitigation programs and initiatives? [44 CFR §201.5(b)(1)<sup>40</sup>]</p> <p><b><i>Intent:</i></b> To demonstrate realized integration with other planning initiatives and mitigation programs into ongoing state activities that achieve risk reduction and resilience.</p>	<p>a. The Enhanced plan must demonstrate integration with other state and/or regional planning initiatives, including, at a minimum, the following sectors:</p> <ol style="list-style-type: none"> <li>1. Emergency management;</li> <li>2. Economic development;</li> <li>3. Land use development;</li> <li>4. Housing;</li> <li>5. Health and social services;</li> <li>6. Infrastructure; and</li> <li>7. Natural and cultural resources.</li> </ol> <p>Where integration with other state and/or regional planning initiatives representing these sectors is not practicable, the plan must describe the limitations.</p> <p>b. The Enhanced plan must demonstrate integration of FEMA mitigation programs and initiatives, including, if applicable, but not limited to: HMGP, PDM, FMA, NFIP, CRS, Risk MAP, and the National Dam Safety Program, as well as FEMA programs that advance mitigation, such as Threat Hazard Identification and Risk Assessment, Emergency Management Performance Grant Program, and PA C-G. Where integration with FEMA mitigation programs and initiatives is not practicable, the plan must describe the limitations.</p> <p><b><i>Special Consideration:</i></b> In evaluating integration, consideration will be given to the inherent differences in governance and capabilities among states, crediting measurable progress towards integration of efforts.</p>

### 4.3 State Mitigation Capabilities

States with enhanced state mitigation plans are able to demonstrate successfully implemented programs or projects that reduce exposure to hazards or other mechanisms that show the state has exceeded the requirements of the standard plan. Where the state standard mitigation plan requires the evaluation of capabilities (see Element S12), enhanced states can demonstrate a comprehensive approach to reducing losses of life and property by lessening the impact of disasters through development, implementation, and coordination of a variety of capabilities.

<sup>40</sup> 44 CFR §201.5(b)(1): “Demonstration that the plan is integrated to the extent practicable with other State and/or regional planning initiatives (comprehensive, growth management, economic development, capital improvement, land development, and/or emergency management plans) and FEMA mitigation programs and initiatives that provide guidance to State and regional agencies.”

ELEMENT	REQUIREMENTS
<p>E3. Does the state demonstrate commitment to a comprehensive mitigation program? [44 CFR §201.5(b)(4)<sup>41</sup>]</p> <p><b><i>Intent:</i></b> Demonstrate commitment to advancing risk reduction and resilience using a wide range of resources.</p>	<p>The plan must describe an existing comprehensive state mitigation program that might include, but is not limited to, examples listed in the mitigation planning regulation at 44 CFR §201.5(b)(4).</p> <p><b><i>Comprehensive state mitigation program</i></b> means a broad range of state-supported initiatives and activities that:</p> <ol style="list-style-type: none"> <li>1. Targets risk reduction for each of the identified hazards in the state;</li> <li>2. Is inclusive of various state agencies and sectors with mitigation capabilities and resources; and</li> <li>3. Is coordinated to increase statewide resilience from the adverse impacts of future hazard events.</li> </ol> <p>Initiatives and activities that demonstrate commitment include, but are not limited to, a combination of current training, partnerships, leadership initiatives, funding, technical assistance, codes and ordinances, or other activities that reduce risks.</p> <p><b><i>Special Consideration:</i></b> Descriptions of the various programs and initiatives to meet this requirement do not need to be repeated in a separate section. However, if the documentation to meet this requirement is not a separate section, the Plan Review Tool (refer to Appendix B: State Mitigation Plan Review Tool) should identify where in the plan the descriptions are found.</p>

<sup>41</sup> 44 CFR §201.5(b)(4): “Demonstration that the State is committed to a comprehensive state mitigation program, which might include any of the following:

- (i) A commitment to support local mitigation planning by providing workshops and training, State planning grants, or coordinated capability development of local officials, including Emergency Management and Floodplain Management certifications.
- (ii) A statewide program of hazard mitigation through the development of legislative initiatives, mitigation councils, formation of public/private partnerships, and/or other executive actions that promote hazard mitigation.
- (iii) The State provides a portion of the non-Federal match for HMGP and/or other mitigation projects.
- (iv) To the extent allowed by State law, the State requires or encourages local governments to use a current version of a nationally applicable model building code or Standard that addresses natural hazards as a basis for design and construction of State sponsored mitigation projects.
- (v) A comprehensive, multi-year plan to mitigate the risks posed to existing buildings that have been identified as necessary for post-disaster response and recovery operations.
- (vi) A comprehensive description of how the State integrates mitigation into its post-disaster recovery operations.”

ELEMENT	REQUIREMENTS
<p>E4. Does the Enhanced plan document capability to implement mitigation actions? [44 CFR §§201.5(b)(2)(i),<sup>42</sup> 201.5(b)(2)(ii),<sup>43</sup> and 201.5(b)(2)(iv)<sup>44</sup>]</p> <p><b><i>Intent:</i></b> To exhibit successful application of a statewide mitigation program to advance risk reduction and resilience toward mitigation goals.</p>	<p>a. The Enhanced plan must describe the system to rank the mitigation measures according to established eligibility criteria, including a process to prioritize between funding programs, jurisdictions, and proposals that address different or multiple hazards.</p> <p>b. The Enhanced plan must describe how the state will assess the effectiveness of mitigation actions, including the agencies that are involved as well as the timeline, and use the results to inform the mitigation strategy. Effectiveness may be based on cost factors but may also include other beneficial functions.</p>
<p>E5. Is the state effectively using existing mitigation programs to achieve mitigation goals? [44 CFR §§201.5(a) and 201.5(b)(3)<sup>45</sup>]</p> <p><b><i>Intent:</i></b> To exhibit successful application of a statewide mitigation program to advance risk reduction and resilience toward mitigation goals. Also to demonstrate the effective use of the additional HMGP funds for which the Enhanced state is eligible.</p>	<p>a. The enhanced plan must document how the state has fully made use of the funding available through the FEMA assistance programs (for example, PA C-G, HMGP, PDM, and FMA). If the state has not made full use of available funding, the enhanced plan must document the reasons why funding was not used and explain the process to improve this capability.</p> <p>b. The enhanced plan must document how the state effectively uses existing state programs to achieve its mitigation goals.</p> <div style="background-color: #e0e0e0; padding: 5px;"> <p><b><i>Special Consideration:</i></b> Citing limited staff resources is not considered an acceptable reason for not making full use of funding. Further, citing limited staff resources would document the inability to meet the requirement at §201.5(b)(2)(iii), that requires the state to demonstrate HMA grants management capability.</p> </div>

<sup>42</sup> 44 CFR §201.5(b)(2)(i): “Documentation of the State’s project implementation capability, identifying and demonstrating the ability to implement the plan, including: Established eligibility criteria for multi-hazard mitigation measures.”

<sup>43</sup> 44 CFR §201.5(b)(2)(ii): A system “to rank the measures according to the State’s eligibility criteria. A system to determine the cost effectiveness of mitigation measures, consistent with OMB Circular–94, Guidelines and Discount Rates for Benefit-Cost Analysis of Federal Programs.”

<sup>44</sup> 44 CFR §201.5(b)(2)(iv): “A system and strategy by which the State will conduct an assessment of the completed mitigation actions and include a record of the effectiveness (actual cost avoidance) of each mitigation action.”

<sup>45</sup> 44 CFR §201.5(b)(3): “Demonstration that the State effectively uses existing mitigation programs to achieve its mitigation goals.”

**4.4 HMA Grants Management Performance**

Approval of an enhanced state mitigation plan results in eligibility for increased HMGP funding. Therefore, the mitigation planning regulation requires states to demonstrate existing capabilities to effectively manage the HMGP as well as other mitigation grant programs (44 CFR §§201.5(a), 201.5(b)(3), and 201.5(b)(2)(iii)).

At the time of plan submission and review, and annually during the approval period, FEMA will review the state’s last four quarters of past grants management performance data for all FEMA HMA programs. For reviews of new Enhanced state mitigation plans, FEMA may extend the timeframe when sufficient data is not available for the last four quarters. FEMA will supplement the review with any additional necessary grants management data or may request additional data from the state, if necessary.

For additional information on the requirements to:

- Make use of the funding available through the FEMA assistance programs, refer to Element E5 in *Section 4.3 State Mitigation Capabilities*.
- Maintain HMA grants management performance capabilities over the plan approval period, refer to Appendix A: Submission and Review Procedures.

ELEMENT	REQUIREMENTS
E6. With regard to HMA, is the state maintaining the capability to meet application timeframes and submitting complete project applications? [44 CFR §201.5(b)(2)(iii)(A) <sup>46</sup> ]	<ul style="list-style-type: none"> <li>a. All applications and amendments are submitted by the end of each program’s respective application period.</li> <li>b. All applications are entered into FEMA’s electronic data systems (such as, NEMIS and/or eGrants).</li> <li>c. Eligibility and Completeness Checklist is prepared for all applications.</li> <li>d. All applications are determined to be complete by FEMA within 90 days of submittal or selection for further review. Required environmental and historic preservation reviews and consultations will not be included in the 90-day review timeframe calculation.</li> </ul>

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<sup>46</sup> 44 CFR §201.5(b)(2)(iii)(A): “Demonstration that the State has the capability to effectively manage the HMGP as well as other mitigation grant programs, including a record of the following: (A) Meeting HMGP and other mitigation grant application timeframes and submitting complete, technically feasible, and eligible project applications with appropriate supporting documentation;”

ELEMENT	REQUIREMENTS
<p>E7. With regard to HMA, is the state maintaining the capability to prepare and submit accurate environmental reviews and benefit-cost analyses? [44 CFR §201.5(b)(2)(iii)(B)<sup>47</sup>]</p>	<p>All applications and amendments are determined to be complete by FEMA within 90 days of submittal or selection for further review, including all data requested by FEMA to support Cost Effectiveness determinations and environmental/historic preservation compliance reviews. Required environmental and historic preservation reviews and consultations will not be included in the 90-day review timeframe calculation.</p>
<p>E8. With regard to HMA, is the state maintaining the capability to submit complete and accurate quarterly progress and financial reports on time? [44 CFR §201.5(b)(2)(iii)(C)<sup>48</sup>]</p>	<ul style="list-style-type: none"> <li>a. All progress reports must be complete and submitted on time. Information in reports must accurately describe grant activities, including data related to the completion of individual property acquisitions. Incomplete progress reports that do not provide information on all open grants and subgrants or include all information required by the <a href="#">HMA Guidance</a> are not considered on time.</li> <li>b. All Federal financial reports (FFR), Standard Form (SF) SF-425 are submitted on time. Information in reports must accurately describe grant activities, as described in the HMA Guidance.</li> <li>c. State consistently complies with the Financial Management Standard requirements described in 2 CFR §§200.300 to 200.309.</li> </ul>

<sup>47</sup> 44 CFR §201.5(b)(2)(iii)(B): “Demonstration that the State has the capability to effectively manage the HMGP as well as other mitigation grant programs, including a record of the following: (B) Preparing and submitting accurate environmental reviews and benefit-cost analyses;”

<sup>48</sup> 44 CFR §201.5(b)(2)(iii)(C): “Demonstration that the State has the capability to effectively manage the HMGP as well as other mitigation grant programs, including a record of the following: (C) Submitting complete and accurate quarterly progress and financial reports on time;”

ELEMENT	REQUIREMENTS
<p>E9. With regard to HMA, is the state maintaining the capability to complete HMA projects within established performance periods, including financial reconciliation? [44 CFR §201.5(b)(2)(iii)(D)<sup>49</sup>]</p>	<ul style="list-style-type: none"> <li>a. All work as part of HMA subawards must be completed by the end of Period of Performance as described in the <a href="#">HMA Guidance</a>.</li> <li>b. No major findings on last single audit obtained by the state related to HMA programs. For states without HMA grants, FEMA will review other Federal grants prepared by the responsible agency (such as state Emergency Management Agency).</li> <li>c. All grant close-out activities, including financial reconciliation, are completed within 90 days from the end of the performance period including:               <ul style="list-style-type: none"> <li>1. Final FFR SF-425 and Performance Reports were submitted within 90 days from the end of the performance period unless an extension is granted by FEMA.</li> <li>2. Statement submitted that approved Scope of Work and all environmental and historic preservation requirements have been satisfied.</li> <li>3. SF-270 Request for Advance or Reimbursement or request to de-obligate funds is completed, if applicable due to cost underruns.</li> <li>4. Other documentation as required in the <a href="#">HMA Guidance</a>.</li> <li>5. No late drawdowns are requested or performed after the liquidation period has ended.</li> </ul> </li> <li>d. Actual expenditures have been documented and are consistent with SF-424A or SF-424C.</li> </ul>

<sup>49</sup> 44 CFR §201.5(b)(2)(iii)(D): “Demonstration that the State has the capability to effectively manage the HMGP as well as other mitigation grant programs, including a record of the following: (D) Completing HMGP and other mitigation grant projects within established performance periods, including financial reconciliation.”



## **APPENDIX A: SUBMISSION AND REVIEW PROCEDURES**

The “*Submission and Review Procedures*” Appendix is to set forth the standard operating procedures for the submission and review of both Standard and Enhanced state mitigation plans and includes information on:

- A.1 Communication
- A.2 Plan Submittal
- A.3 Plan Adoption
- A.4 Plan Review Status
- A.5 Enhanced State Mitigation Plan Review
- A.6 Review of Mitigation Commitments

### ***A.1 Communication***

FEMA will work with each state to determine mutually agreeable communication methods. These methods include a schedule, notification milestones, points of contact, and contact information, not limited to phone number, email, and mailing address. FEMA and state staffs are encouraged to coordinate with each other regarding clarifications or questions. FEMA may contact the state to discuss required revisions and offer an opportunity for minor changes prior to issuing a formal letter. Official communications will be documented using formal letters to the state.

### ***A.2 Plan Submittal***

FEMA requires that the plans be submitted electronically. In some cases, FEMA may request that the state submit paper copies. FEMA will work with the state on a mutually agreeable method and format for the plan submittal. If mailing materials to the FEMA Regional Office, the state will confirm with FEMA that delivery instructions are current and appropriate for the submission. Upon receipt of materials, FEMA will provide confirmation to the state.

### ***A.3 Plan Adoption***

The state is encouraged to share drafts, in whole or part, with FEMA in advance of deadlines to ensure plan is approvable upon first review by FEMA. The state is encouraged to submit a final draft to FEMA for review before seeking formal adoption of the plan to ensure that the plan meets all requirements. Once the plan receives an “Approvable Pending Adoption (APA)” status from FEMA, the state must provide documentation of formal adoption by the state’s highest elected official or designee within a reasonable timeframe.

This process allows the state to proceed with the formal adoption process, knowing the adopted plan will be approved by FEMA. If deficiencies are found in the plan, the state will be able to make the required revisions before engaging in the formal adoption process.

## ***A.4 Plan Review Status***

All state mitigation plans will be reviewed by FEMA using the *State Mitigation Plan Review Guide* within 45 days after receipt from the state, whenever possible (44 CFR §201.4(d)). Upon completion of a plan review, FEMA will provide notification to the state of the plan review outcome, using the following status designations:

- “Requires Revisions”
- “Approvable Pending Adoption (APA)”
- “Approved”

FEMA will include a copy of the *Plan Review Tool* when providing notification of plan review status to the state.

### A.4.1 Requires Revisions

State mitigation plans not meeting all of the requirements are returned with a “Requires Revisions.” The required revisions are documented in writing, using the *Plan Review Tool* or other method, for discussions with the state. When a plan requires revisions to meet 44 CFR Part 201, FEMA will complete subsequent plan reviews as necessary. The review of a revised state mitigation plan will focus on those elements where revisions were required but may also include review of any changes from the previous version.

### A.4.2 Approvable Pending Adoption

APA is a recommended and potentially time-saving process by which states submit the final draft state mitigation plan for a review prior to formal adoption by the appropriate officials, agencies, or organizations. If FEMA determines the plan is not approvable, the state will be able to address deficiencies before adopting the plan.

If all Elements are met except adoption, FEMA determines that the state mitigation plan is APA. Once the state receives a letter from FEMA noting the plan status is APA, the state can then proceed with the adoption process, assured that the adopted plan will receive FEMA’s final approval.

### A.4.3 Approved

Once all Elements are “Met” and the adoption resolution is received by the FEMA Regional office, FEMA will send an “Approved” letter to the state signed by the FEMA Regional Administrator or designee. The designee for the FEMA Regional Administrator may be the Regional Mitigation Division Director, Risk Analysis Branch Chief, or other designated official. Correspondence for “Approved” plans will identify, at a minimum, the name of the approved plan, date(s) of plan adoption, date of plan approval, and the expiration date of FEMA’s approval of the plan (e.g., February 1 through January 31).

## ***A.5 Enhanced State Mitigation Plan Review***

The plan submittal procedures are the same as standard state plans. If, upon completion of the FEMA review, required revisions are identified, the FEMA Regional Mitigation Planning staff coordinates with the state regarding the expected revisions to the Enhanced

plan. Upon satisfactory completion of all Enhanced plan requirements, the FEMA Regional Administrator or designee will send a notice of approval or APA to the state.

As stated in Section 4, Enhanced State Plan Requirements, FEMA will not grant conditional approvals of enhanced state plans. All requirements must be met at time of review for the plan to be approved.

**A.5.1 Status Categories**

The status of an enhanced plan submittal will be either New or Update. An Update of an enhanced plan will be “continuous” or “expired” as shown in **Table A-1** and discussed below.

**Table A-1. Summary of Enhanced Plan Status, Review Panel Types, and Review Panel Composition.**

ENHANCED PLAN STATUS	REVIEW PANEL TYPE		REVIEW PANEL COMPOSITION*
	Regional	National	
(A) New Enhanced Plan	✓	✓	2S - 2R - 2HQ (or at a minimum, 1S - 1R - 1HQ)
(B) Enhanced Plan Update	(i) Continuous	✓	(Upon Request) Established by Region
	(ii) Expired	✓	(Upon Request) Established by Region
(A) <i>Never received FEMA approval for an enhanced state mitigation plan</i>			
(B) (i) <i>Complete enhanced plan submitted prior to expiration of current enhanced plan</i>			
(ii) <i>Complete enhanced plan submitted no more than 12 months after expiration of the previous enhanced plan</i>			

\*S = State, R = Region, HQ = Headquarters

A “New Enhanced Plan” is a plan submitted by a state that has never had an approved enhanced plan. If a state submitted an enhanced state mitigation plan for review, but it was never approved by FEMA, the next enhanced state mitigation plan submittal will fall under this category as well. “New Enhanced Plans” will be reviewed by a National Review Panel composed of two state, two FEMA Region, and two FEMA Headquarters representatives.

A “Continuous Enhanced Plan Update” is a plan submitted by a state that has a current, approved enhanced plan that has not expired and has been submitted to FEMA at least 45 day before the plan expires. “Continuous Enhanced Plan Updates” will be reviewed by the respective Regional office.

An “Expired Enhanced Plan Update” is a plan submitted by a state that has an enhanced plan that expired less than 12 months before submission or will expire within the next 45 days. “Expired Enhanced Plans Updates” will be reviewed by the FEMA Regional office.

Prior to expiration, the state may have submitted and received approval of the standard plan, but not an enhanced plan. Plan approval for an “Expired Enhanced Plan Update” as

defined within this section will be for the remaining balance of the approval period to coincide with approval of the standard state mitigation plan.

### A.5.2 Hazard Mitigation Assistance Grants Management Performance Review

The FEMA Regional Mitigation staff will complete the grant program management review per 44 CFR §201.5(b)(2)(iii) within 30 days of receipt of the state mitigation plan and before the National Review Panel convenes. FEMA will evaluate the HMA grants management performance using the criteria provided in Section 4.4, HMA Grants Management Performance.

FEMA will notify the state of the results of the HMA grants management review and provide specific reasons if the state performance is not satisfactory to pass the review. The state may not request a National Panel Review to reconsider the FEMA HMA grants management performance review.

### A.5.3 FEMA Regional Review

The FEMA Region notifies the state and FEMA Headquarters of the review status milestones. The FEMA Region will complete its review of the Enhanced plan within 45 days after receipt from the state, whenever possible (44 CFR §201.4(d)). Additional reviews may be necessary if required revisions are identified.

The FEMA Regional Mitigation Planning staff will complete the internal Regional review process and then send a copy to FEMA Headquarters Mitigation Planning staff for a parallel consistency review. FEMA Headquarters Mitigation Planning staff will review the plan within the same 45-day review period. The Regional Mitigation Planning staff will coordinate with and incorporate Headquarters comments into the Regional review. The parallel review by FEMA Headquarters will not delay the Regional review.

If the finding from the Regional review is not satisfactory, a review by the National Review Panel may be requested. This secondary review process will follow the same panel composition and process as a “New Enhanced Plan.” If a review by the National Review Panel is requested, the review will be completed within 30 days of the request.

### A.5.4 National Review Panel

The FEMA Regional Mitigation Planning staff completes the internal Regional review process, including grant program management, and notifies the state and FEMA Headquarters Mitigation Planning staff of the review status. If, upon completion of the FEMA Regional review, required revisions are identified, the FEMA Region sends the completed plan review to the state, and coordinates with the state to adjust the schedule based on the expected revisions to the enhanced plan. Upon satisfaction that all elements of the Regional review process have been met, the FEMA Regional Mitigation Planning staff submits the enhanced state mitigation plan to FEMA Headquarters Mitigation Planning staff for a review by the National Review Panel.

Upon notification from the FEMA Region, FEMA Headquarters Mitigation Planning staff will assemble the National Review Panel. Once convened, the National Review Panel will complete its review and provide timely feedback through the FEMA Regional Mitigation Planning staff to the submitting state.

Upon receipt of the Plan from the FEMA Region, FEMA Headquarters Mitigation Planning staff and FEMA Regional Mitigation staff participate in an initial coordination conference call with the National Review Panelists to coordinate schedules and ensure all materials have been provided to Panelists to complete reviews.

- Each National Review Panelist completes an independent review of the plan and submits a completed *Plan Review Tool* to the FEMA Headquarters Mitigation Planning staff.
- FEMA Headquarters Mitigation Planning staff consolidates comments into a single *Plan Review Tool* and distributes to Panelists.
- FEMA Headquarters Mitigation Planning staff facilitates National Review Panel discussion (generally held via conference call) to discuss the plan reviews and reach Panel consensus on recommendations for plan approval or required revisions.
- The FEMA Headquarters Mitigation Planning staff notifies the Regional Mitigation Planning staff of the Panel outcome.

If, upon completion of the National Review Panel review, required revisions are identified, the FEMA Regional Mitigation Planning staff sends the National Review Panel *Plan Review Tool* to the state. Upon receipt of the revisions, FEMA Regional and Headquarters Mitigation Planning staff confirms whether all required revisions have been met. Additional communication may be required if all requirements still have not been met.

### A.5.5 Enhanced Plan Review Procedure Summary

A summary of the enhanced plan procedures is provided in Table A-2.

**Table A-2. Summary of Enhanced Plan Review Procedures.**

ENHANCED PLAN CATEGORY	PROCESS SUMMARY	TIMELINE
<p>A. New Enhanced Plan submitted by state and:</p> <ol style="list-style-type: none"> <li>1. State never had an approved enhanced plan before; or</li> <li>2. State had enhanced plan that expired <u>more than 12 months</u> prior to submittal.</li> </ol>	<p>Region will review the plan within 45 days of submittal</p> <p>During 45 day Regional review:</p> <ul style="list-style-type: none"> <li>• HQ assembles National Review Panel</li> <li>• Revisions may be required</li> </ul> <p>After Regional review, National Review Panel convenes</p> <p>National Panel review of plan will not exceed 45 days, whenever possible.</p>	<p><b>Day 1:</b> Submittal to Region; HQ assembles review panel with HQ, state, and Regional reviewers while Region is conducting the review</p> <p><b>Day 30:</b> Region completes its review</p> <p><b>Day 45:</b> National Review Panel provides feedback to the state</p> <p>Additional review time may be necessary for either the Regional or National Review Panel reviews if required revisions are identified.</p>

ENHANCED PLAN CATEGORY	PROCESS SUMMARY	TIMELINE
<p>B. Updated Enhanced Plan (Continuous) must be submitted to the FEMA Region at least 45 days prior to plan expiration, or up to 12 months after Enhanced Plan expiration date.</p>	<p><b>Initial Review:</b> Region/HQ will do joint review within 45 days. Plan will either be approved or returned for revisions in this timeframe.</p> <p><b>Optional Secondary Review:</b> If the state is not satisfied with outcome of the Regional review, a National Review Panel review can be requested and will be completed within 30 days.</p>	<p><b>Initial Review:</b> Day 1: Submitted to Region Day 45: Region and HQ make determination</p> <p><b>Optional Secondary Review:</b> (State not satisfied with outcome of Regional review):</p> <p><b>Day 1:</b> HQ begins to assemble National Review Panel</p> <p><b>Day 30:</b> Region shares outcome of National Review Panel review with state</p> <p>Additional review time may be necessary either from the Regional or National Review Panel reviews if required revisions are identified.</p>

**A.6 Review of Mitigation Commitments**

If at any time over the plan approval period FEMA determines that the state is not complying with all applicable Federal statutes and regulations in effect with respect to the periods for which it receives funding or is unable to fulfill mitigation commitments, FEMA may take action to correct the noncompliance (44 CFR §§201.3(b)(5) and 201.4(c)(7)). If the state does not comply with HMA award administration requirements, FEMA may consider taking actions as detailed in the [HMA Guidance](#) (Part VI. Award Administration Information, D.8 Remedies for Noncompliance). Before taking action, FEMA Regional Mitigation staff must coordinate with the respective FEMA Headquarters program offices.

A FEMA-approved enhanced state mitigation plan documents sustained, proven commitment to hazard mitigation and results in eligibility for increased HMGP funding. Annually, FEMA staff will validate that “Enhanced” states are maintaining a comprehensive mitigation program, effectively using available mitigation funding, and remain capable of managing the increased HMGP funding (44 CFR §201.5(a)). Following the validation, FEMA will provide the state with a written summary of findings. The benefit of this annual validation to the state is to show that the state is on track and continues to meet grants management performance requirements over the 5-year approval period, rather than discovering retroactively at the review of the mitigation plan update that the state does not meet the requirements. FEMA will not require a state mitigation plan update as a result of the annual validation.

If FEMA determines that the state's mitigation capabilities have not improved or have declined, FEMA will work with the state to identify appropriate activities to improve the mitigation capabilities and determine a reasonable timeframe for completing these actions. The state will have 30 days after receipt of the summary of findings to submit to FEMA the proposed actions and timeframes that the state will take to make the improvements.

If the state mitigation capabilities do not improve, FEMA may consider withholding funds or denying future funding by suspending the state's "Enhanced" plan status prior to the 5-year update. If the "Enhanced" plan status is suspended by FEMA, the state mitigation plan would revert to "Standard" plan status and the state would no longer be eligible to receive the increased portion of HMGP funding for future disaster declarations. If the state is subsequently able to demonstrate the capability to manage the increased HMGP funding to FEMA's satisfaction consistent with the criteria in the applicable regulations and this *Guide*, FEMA would restore the "Enhanced" plan status making the state eligible to receive increased HMGP funding for future disaster declarations.

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## APPENDIX B: STATE MITIGATION PLAN REVIEW TOOL

This section is organized as follows:

- B.1 Plan Review Tool Summary
- B.2 Standard State Mitigation Plan Regulation Checklist
- B.3 Enhanced State Mitigation Plan Regulation Checklist
- B.4 Strengths and Opportunities for Improvement

FEMA uses the State Mitigation Plan Review Tool (“**Plan Review Tool**”) to document how the state mitigation plan meets the regulation. If plan requirements are not met, FEMA informs the state of the changes it needs to make in each of the Required Revisions sections.

The “**Strengths and Opportunities for Improvement**” summary offers FEMA an opportunity to provide more comprehensive feedback to the state.

**INSTRUCTIONS:** The Regulation Checklist must be completed by FEMA. The FEMA Plan Approver must reference the *State Mitigation Plan Review Guide* when completing the *Plan Review Tool*. The purpose of the Checklist is to identify the location of relevant or applicable content in the Plan by Element/sub-element and to determine if each requirement has been ‘Met’ or ‘Not Met.’

The “**Required Revisions**” summary at the bottom of each Element must be completed by FEMA to provide a clear explanation of the revisions that are required for plan approval. Required revisions must be explained for each plan sub-element that is ‘Not Met.’ Sub-elements should be referenced in each summary by using the appropriate number, where applicable. Requirements for each Element and sub-element are described in detail in the *State Mitigation Plan Review Guide*.

FEMA will provide a narrative summary of the review findings that includes a discussion of “**Strengths and Opportunities for Improvement**” as a means to offer more comprehensive feedback to the state to acknowledge where the plan exceeds minimum requirements as well as provide suggestions for improvements. FEMA will describe the strengths that are demonstrated and highlight examples of best practices.

FEMA may provide suggestions for improvement as part of the *Plan Review Tool* or in a separate document. FEMA’s suggestions for improvement are not required to be made for plan approval.

Required revisions from the Regulation Checklist are not documented in the “**Strengths and Opportunities for Improvement**” section.

**B.1 Plan Review Tool Summary**

<b>State:</b>	<b>Title and Date of Plan:</b>	<b>Date of Submission:</b>
<b>State Point of Contact (Name / Title):</b>		<b>Address:</b>
<b>Agency:</b>		
<b>Phone Number:</b>	<b>E-Mail:</b>	

<b>Date Received in FEMA Region:</b>	
<b>FEMA Reviewer (Planning – Name / Title):</b>	<b>Date:</b>
<b>FEMA Reviewer (HMA – Name / Title):</b>	<b>Date:</b>
<b>FEMA Reviewer (Name / Title):</b>	<b>Date:</b>
<b>FEMA Reviewer (Name / Title):</b>	<b>Date:</b>
<b>FEMA Approver (Name / Title):</b>	<b>Date:</b>
<b>Plan Status (Not Approved, Approvable Pending Adoption, Approved):</b>	<b>Date:</b>

SUMMARY	YES	NO
<b>STANDARD STATE MITIGATION PLAN</b>		
Does the plan meet the standard state mitigation plan requirements?		
<b>REPETITIVE LOSS STRATEGY</b>		
Does the plan include a Repetitive Loss Strategy? [see S6 / RL1; S8 / RL2; S9 / RL3; S10 / RL4; S13 / RL5; and S15 / RL6]		
<b>ENHANCED STATE MITIGATION PLAN</b>		
Does the plan meet the enhanced state mitigation plan requirements?		

**B.2 Standard State Mitigation Plan Regulation Checklist**

<b>REGULATION CHECKLIST – STANDARD PLAN</b>		<b>Location in Plan</b>	<b>M / NM*</b>
<b>*M=Met; NM=Not Met</b>			
<b>STANDARD (S) STATE MITIGATION PLAN</b>			
<b>Planning Process</b>			
S1. Does the plan describe the planning process used to develop the plan? [44 CFR §§201.4(b) and (c)(1)]			
S2. Does the plan describe how the state coordinated with other agencies and stakeholders? [44 CFR §§201.4(b) and (c)(1)]			
<b>Required Revisions:</b>			
<b>Hazard Identification and Risk Assessment</b>			
S3. Does the risk assessment include an overview of the type and location of all natural hazards that can affect the state? [44 CFR §201.4(c)(2)(i)]			
S4. Does the risk assessment provide an overview of the probabilities of future hazard events? [44 CFR §201.4(c)(2)(i)]			
S5. Does the risk assessment address the vulnerability of state assets located in hazard areas and estimate the potential dollar losses to these assets? [44 CFR §§201.4(c)(2)(ii) and 201.4(c)(2)(iii)]			
S6. Does the risk assessment include an overview and analysis of the vulnerability of jurisdictions to the identified hazards and the potential losses to vulnerable structures? [44 CFR §§201.4(c)(2)(ii) and 201.4(c)(2)(iii)]			
S7. Was the risk assessment revised to reflect changes in development? [44 CFR §201.4(d)]			
<b>Required Revisions:</b>			
<b>Mitigation Strategy and Priorities</b>			
S8. Does the mitigation strategy include goals to reduce / avoid long-term vulnerabilities from the identified hazards? [44 CFR §201.4(c)(3)(i)]			
S9. Does the plan prioritize mitigation actions to reduce vulnerabilities identified in the risk assessment? [44 CFR §§201.4(c)(3)(iii) and (iv)]			
S10. Does the plan identify current and potential sources of funding to implement mitigation actions and activities? [44 CFR §201.4(c)(3)(iv)]			
S11. Was the plan updated to reflect changes in development, progress in statewide mitigation efforts, and changes in priorities? [44 CFR §201.4(d)]			
<b>Required Revisions:</b>			
<b>State Mitigation Capabilities</b>			
S12. Does the plan discuss the evaluation of the state’s hazard management policies, programs, capabilities, and funding sources to mitigate the hazards identified in the risk assessment? [44 CFR §201.4(c)(3)(ii)]			
<b>Required Revisions:</b>			

<b>REGULATION CHECKLIST – STANDARD PLAN</b>	<b>Location in Plan</b>	<b>M / NM*</b>
<b>*M=Met; NM=Not Met</b>		
<b>Local Coordination and Mitigation Capabilities</b>		
S13. Does the plan generally describe and analyze the effectiveness of local and tribal, as applicable, mitigation policies, programs, and capabilities? [44 CFR §201.4(c)(3)(ii)]		
S14. Does the plan describe the process to support the development of approvable local and tribal, as applicable, mitigation plans? [44 CFR §§201.3(c)(5) and 201.4(c)(4)(i)]		
S15. Does the plan describe the criteria for prioritizing funding? [44 CFR §201.4(c)(4)(iii)]		
S16. Does the plan describe the process and timeframe to review, coordinate and link local and tribal, as applicable, mitigation plans with the state mitigation plan? [44 CFR §§201.3(c)(6), 201.4(c)(2)(ii), 201.4(c)(3)(iii), and 201.4(c)(4)(ii)]		
<b>Required Revisions:</b>		
<b>Plan Review, Evaluation, and Implementation</b>		
S17. Is there a description of the method and schedule for keeping the plan current? [44 CFR §§201.4(c)(5)(i) and 201.4(d)]		
S18. Does the plan describe the systems for monitoring implementation and reviewing progress? [44 CFR §§201.4(c)(5)(ii) and 201.4(c)(5)(iii)]		
<b>Required Revisions:</b>		
<b>Adoption and Assurances</b>		
S19. Did the state provide documentation that the plan has been formally adopted? [44 CFR §201.4(c)(6)]		
S20. Did the state provide assurances? [44 CFR §201.4(c)(7)]		
<b>Required Revisions:</b>		
<b>Repetitive Loss (RL) Strategy</b>		
RL1. Did Element S6 (risk assessment) address RL and SRL properties? [44 CFR §§201.4(c)(2)(ii), 201.4(c)(2)(iii), and 201.4(c)(3)(v)]		
RL2. Did Element S8 (mitigation goals) address RL and SRL properties? [44 CFR §§201.4(c)(3)(i) and 201.4(c)(3)(v)]		
RL3. Did Element S9 (mitigation actions) address RL and SRL properties? [44 CFR §§201.4(c)(3)(iii) and 201.4(c)(3)(v)]		
RL4. Did Element S10 (funding sources) address RL and SRL properties? [44 CFR §§201.4(c)(3)(iv) and 201.4(c)(3)(v)]		
RL5. Did Element S13 (local and tribal, as applicable, capabilities) address RL and SRL properties? [44 CFR §§201.4(c)(3)(ii) and 201.4(c)(3)(v)]		
RL6. Did Element S15 (prioritizing funding) address RL and SRL properties? [44 CFR §§201.4(c)(4)(iii) and 201.4(c)(3)(v)]		
<b>Required Revisions:</b>		

**B.3 Enhanced State Mitigation Plan Regulation Checklist**

<b>REGULATION CHECKLIST – ENHANCED PLAN</b>		<b>Location</b>	<b>M / NM*</b>
<b>*M=Met; NM=Not Met</b>		<b>in Plan</b>	
<b>ENHANCED (E) STATE MITIGATION PLAN</b>			
<b>Meet Standard State Mitigation Plan Elements</b>			
E1. Does the Enhanced plan include all elements of the standard state mitigation plan? [44 CFR §201.5(b)]			
<b>Required Revisions:</b>			
<b>Integrated Planning</b>			
E2. Does the plan demonstrate integration to the extent practicable with other state and/or regional planning initiatives and FEMA mitigation programs and initiatives? [44 CFR §201.5(b)(1)]			
<b>Required Revisions:</b>			
<b>State Mitigation Capabilities</b>			
E3. Does the state demonstrate commitment to a comprehensive mitigation program? [44 CFR §201.5(b)(4)]			
E4. Does the enhanced plan document capability to implement mitigation actions? [44 CFR §§201.5(b)(2)(i), 201.5(b)(2)(ii), and 201.5(b)(2)(iv)]			
E5. Is the state effectively using existing mitigation programs to achieve mitigation goals? [44 CFR §201.5(b)(3)]			
<b>Required Revisions:</b>			
<b>HMA Grants Management Performance</b>			
E6. With regard to HMA, is the state maintaining the capability to meet application timeframes and submitting complete project applications? [44 CFR §201.5(b)(2)(iii)(A)]			
E7. With regard to HMA, is the state maintaining the capability to prepare and submit accurate environmental reviews and benefit-cost analyses? [44 CFR §201.5(b)(2)(iii)(B)]			
E8. With regard to HMA, is the state maintaining the capability to submit complete and accurate quarterly progress and financial reports on time? [44 CFR §201.5(b)(2)(iii)(C)]			
E9. With regard to HMA, is the state maintaining the capability to complete HMA projects within established performance periods, including financial reconciliation? [44 CFR §201.5(b)(2)(iii)(D)]			
<b>Required Revisions:</b>			

### B.4 Strengths and Opportunities for Improvement

#### **STRENGTHS AND OPPORTUNITIES FOR IMPROVEMENT**

**INSTRUCTIONS:** The purpose of the “**Strengths and Opportunities for Improvement**” section is for FEMA to provide more comprehensive feedback on the state mitigation plan to help the state advance mitigation planning. The intended audience is the state staff responsible for the mitigation plan update. FEMA will address the following topics:

1. Plan strengths, including specific sections in the plan that are above and beyond the minimum requirements; and
2. Suggestions for future improvements.

FEMA will provide feedback and include examples of best practices, when possible, as part of the *Plan Review Tool*, or, if necessary, as a separate document. The state mitigation plan elements are included below in italics for reference but should be deleted as the narrative summary is completed. FEMA is not required to provide feedback for each element.

Required revisions from the **Regulation Checklist** are not documented in the **Strengths and Opportunities for Improvement** section.

Results from the **Strengths and Opportunities for Improvement** section are not required for Plan Approval, but may inform discussions during the Program Consultation.

#### **Describe the mitigation plan strengths, including areas that may exceed minimum requirements.**

- *Planning process*
- *Hazard identification and risk assessment*
- *Mitigation strategy*
- *State mitigation capabilities*
- *Local and tribal, as applicable, coordination and mitigation capabilities*
- *Plan review, evaluation, and implementation*
- *Adoption and assurances*
- *Repetitive loss strategy, if applicable*
- *Integrated planning process, if applicable*
- *Commitment to a comprehensive mitigation program, if applicable*
- *HMA grants management performance, if applicable*

#### **Describe areas for future improvements to the mitigation plan.**

- *Planning process*
- *Hazard identification and risk assessment*
- *Mitigation strategy*
- *State mitigation capabilities*
- *Local and tribal, as applicable, coordination and mitigation capabilities*
- *Plan review, evaluation, and implementation*
- *Adoption and assurances*
- *Repetitive loss strategy, if applicable*
- *Integrated planning process, if applicable*
- *Commitment to a comprehensive mitigation program, if applicable*
- *HMA grants management performance, if applicable*

## APPENDIX C: APPROVAL LETTER TEMPLATE

*[insert date]*

*[insert name, title]*

*[insert State agency name]*

*[insert State agency address line 1]*

*[insert State agency address line 2]*

Reference: Approval of the *[insert name]* State Mitigation Plan

Dear *[insert name]*:

The U.S. Department of Homeland Security, Federal Emergency Management Agency (FEMA) Region *[insert number]* Mitigation Division, Risk Analysis Branch has approved the updated *[insert name]* state mitigation plan effective *[insert date]* through *[insert date]* in accordance with the planning requirements of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), as amended, the National Flood Insurance Act of 1968, as amended, and Title 44 Code of Federal Regulations (CFR) Part 201.

A FEMA-approved state mitigation plan is a condition of receiving certain non-emergency Stafford Act assistance and FEMA mitigation grants from the following programs:

- Public Assistance Categories C-G (PA C-G)
- Fire Management Assistance Grants (FMAG)
- Hazard Mitigation Grant Program (HMGP)
- Pre-Disaster Mitigation (PDM)
- Flood Mitigation Assistance (FMA)

State mitigation plans must be updated and resubmitted to FEMA Region *[insert number]* Mitigation Division, Risk Analysis Branch for approval. If the plan is not updated by the date indicated on this FEMA approval letter, the plan is considered lapsed and FEMA will not obligate funds until the mitigation plan is approved by FEMA.

If at any time over the plan approval period, FEMA determines that the state is not complying with all applicable Federal statutes and regulations in effect with respect to the periods for which it receives funding or is unable to fulfill mitigation commitments, FEMA may take action to correct the noncompliance (44 CFR §§201.3(b)(5) and 201.4(c)(7)).

If the included Repetitive Loss Strategy is approved, insert:

FEMA determined the state mitigation plan includes a Repetitive Loss Strategy that meets the requirements set forth in 44 CFR §201.4(c)(3)(v) and qualifies the state to request an increased Federal share for repetitive loss properties under the FMA program.

If the approved plan is Enhanced, insert:

FEMA recognizes the state for the additional effort and commitment to mitigation, authorizing the state to receive additional HMGP funds of up to 20 percent of the total estimated eligible Stafford Act disaster assistance. The “Enhanced” designation is recognition for states that are

leaders in implementing a comprehensive statewide hazard mitigation program that results in safer, more sustainable communities.

The state is responsible for communicating with local and tribal officials, as applicable, interested in applying through the state for FEMA assistance. FEMA encourages states to communicate with the appropriate officials regarding mitigation plan status and eligibility requirements. At a minimum of every 6 months, FEMA will provide to the state written information on mitigation plans, including but not limited to:

- Local and tribal, as applicable, mitigation plan expiration dates;
- Consequences of not having a FEMA-approved local or tribal, as applicable, mitigation plan with respect to eligibility for HMA programs; and
- Availability of mitigation planning training and technical assistance.
- Upcoming funding opportunities.

The state is responsible for reviewing and submitting approvable mitigation plans to FEMA. If the state is not submitting approvable mitigation plans, FEMA will provide feedback as well as technical assistance or training, as needed.

In addition, FEMA will provide a reminder to the state, at a minimum, 12 months prior to the plan expiration date, of the consequences of not having a FEMA-approved mitigation plan with respect to eligibility for the FEMA assistance programs that require FEMA-approved mitigation plan as a condition of eligibility. To maintain eligibility for PA C-G, FMAG, HMGP, PDM, and FMA, the state must submit a draft of the next plan update prior to the end of the approval period, and allow sufficient time for the review and approval process, including any revisions, if needed, and for formal adoption by the state following determination by FEMA that the plan has achieved a status of “Approvable Pending Adoption.”

Finally, we look forward to working with you to discuss the status of the state mitigation program each year over the approval period. The written consultation agreement is attached to clarify expectations regarding the consultation process, including details such as purpose and outcomes; points of contact; roles and responsibilities; and logistics.

If we can be of assistance, please contact [*insert name*], at [*insert phone # and email address*].

Sincerely,

[*insert name*]  
[*insert title*]

**Attachments:**

1. State Mitigation Plan Review Tool
2. Mitigation Program Consultation Agreement



## APPENDIX D: CONSULTATION SUMMARY TEMPLATE

MITIGATION PROGRAM CONSULTATION SUMMARY
<p><b>INSTRUCTIONS:</b> The purpose of the <b>Mitigation Program Consultation Summary</b> is for use by FEMA Mitigation staff to provide a written summary of the highlights of the consultation on the state Mitigation Program to help the state advance mitigation. The intended audience is the state staff responsible for the mitigation program. At a minimum, FEMA will address the following topics:</p> <ol style="list-style-type: none"> <li>1. Mitigation program strengths.</li> <li>2. Specific challenges to advancing mitigation.</li> <li>3. Suggestions for opportunities to improve mitigation capabilities.</li> </ol> <p>The topics included in each section below in <i>italics</i> are for reference and should be deleted as the narrative summary is completed.</p>
<p><b>Describe mitigation program strengths.</b></p> <ul style="list-style-type: none"> <li>• <i>State mitigation plan strategy implementation</i></li> <li>• <i>State mitigation plan maintenance</i></li> <li>• <i>Plan update and approval process</i></li> <li>• <i>Training, technical assistance, and partnerships</i></li> <li>• <i>Local and tribal, as applicable, mitigation planning</i></li> <li>• <i>Mitigation capabilities, including funding</i></li> <li>• <i>HMA grants management performance</i></li> </ul>
<p><b>Describe specific challenges to advancing mitigation.</b></p> <ul style="list-style-type: none"> <li>• <i>State mitigation plan strategy implementation</i></li> <li>• <i>State mitigation plan maintenance</i></li> <li>• <i>Plan update and approval process</i></li> <li>• <i>Training, technical assistance, and partnerships</i></li> <li>• <i>Local and tribal, as applicable, mitigation planning</i></li> <li>• <i>Mitigation capabilities, including funding</i></li> <li>• <i>HMA grants management performance</i></li> </ul>
<p><b>Describe suggestions for opportunities to improve mitigation capabilities.</b></p> <ul style="list-style-type: none"> <li>• <i>State mitigation plan strategy implementation</i></li> <li>• <i>State mitigation plan maintenance</i></li> <li>• <i>Plan update and approval process</i></li> <li>• <i>Training, technical assistance, and partnerships</i></li> <li>• <i>Local and tribal, as applicable, mitigation planning</i></li> <li>• <i>Mitigation capabilities, including funding</i></li> <li>• <i>HMA grants management performance</i></li> </ul>
<p><b>Attachments</b></p>