

adopt the mitigation plan

Overview

Congratulations! You have reached Phase 4 of the planning process. After organizing resources, assessing risks, and developing a mitigation plan, you are now ready to take the first step in Phase 4—guiding the plan through a formal adoption process. Completion of this step will establish the plan’s authority and legitimacy. In order to meet DMA 2000 regulations, your jurisdiction’s governing body must formally adopt the plan in accordance with state and local laws. Their involvement and support of the process all along should help gain approval, as you will see below. Local plans are adopted by the lead governing body (City Council, Board of Supervisors, etc.) and state plans are usually submitted to the state director of emergency management for approval and signature. Adopting the mitigation plan is the final challenge for the planning team before plan implementation can begin. The relationships you have already established with stakeholders, elected officials, and government agencies, as well as the thorough nature of your work thus far, will be important assets during the adoption process.

In addition to being required by DMA 2000, adoption of the plan is necessary because:

- It lends authority to the plan to serve as a guiding document for all local and state government officials;
- It gives legal status to the plan in the event it is challenged in court;
- It certifies to program and grant administrators that the plan’s recommendations have been properly considered and approved by the governing authority and the jurisdiction’s citizens; and
- It helps ensure the continuity of mitigation programs and policies over time because elected officials, staff, and other community decision-makers can refer to the official document when making decisions about the community’s future.



Linking the plan’s policies

to those in other land development tools ensures that development decisions are made in consideration of the loss reduction goals of the community. Formal adoption of the plan lets public or private funding sources know that the plan has the support of citizens, elected officials, and business owners. For example, land developers should use the adopted plan to make informed decisions about their ventures with respect to mitigation policies and potential hazards.



Before you seek adoption

of the plan, check with your State Hazard Mitigation Officer (SHMO) on administrative

procedures for reviewing plans under DMA 2000 requirements. The SHMO may have established a procedure with the FEMA Regional Office to review the draft plan to make sure you included all elements for meeting the DMA 2000 or other program requirements. This may include reviewing the planning process and your documentation before you ask the governing body to adopt the plan, a step to ensure that you have to submit the plan only once to the governing body for formal adoption. A tribal jurisdiction that submits a plan as a state-level entity works directly with the appropriate FEMA Regional Office.





Ensuring Plan Adoption

The planning team has already performed activities that will help ease passage of the plan:

Recognizing the Committee. As described in *Getting Started* (FEMA 386-1), the team is formally recognized by the community's governing body as the local authority on mitigation, and has been entrusted to make recommendations about mitigation on behalf of the community. This formal recognition by elected officials extends to the planning team's scope of work as well.

Garnering Public Input. As covered in *Getting Started* (FEMA 386-1) and *Developing the Mitigation Plan* (FEMA 386-3), the planning team identified stakeholders to join the planning team, briefed elected officials, informed the public of the team's progress and findings, and involved the public in its work. By including the citizens of the community throughout the planning process, you can expect that the adoption and implementation of the plan will be broadly supported by the public and elected officials.

Communicating Information. By keeping citizens involved in the planning process and informed of progress, the planning team can maintain the community's interest in mitigation. The community now knows and understands that there is a significant risk of losing assets because of hazards, that several alternatives are being considered, and that projects and initiatives will soon be underway.



Partners in Mitigation

Citizens, businesses, and technical experts in southwest Tulsa are partnering with the City of Tulsa and the National Park Service in the development of a greenway plan for a local creek (Mooser Creek). Flood mitigation, preservation of natural resources, recreation, and sustainable development are part of a community vision shared by both citizens and government. Community leaders got involved by forming committees and identifying issues important to them. The Mooser Creek Greenway Citizens and Technical Committees agreed upon a vision statement in an effort to preserve the natural functions and beauty of Mooser Creek and to create recreational and educational opportunities.

Procedures & Techniques

Task A. Brief local leadership.

An excellent way to facilitate adoption of the plan is to periodically brief community decision makers and elected officials on the progress of your planning efforts. This is a great opportunity to demonstrate to the governing body that the plan is sound and has broad support. Plan adoption should not be difficult if the planning team has conducted activities throughout the planning process that have lent credibility to the team, the plan, and the planning process. The briefings will also allow you to address any concerns of elected officials, and to obtain their input. Having the planning team recognized, garnering public input, and communicating the progress and successes of the team will help get the plan adopted.

Task B. Demonstrate the support of partner organizations.

One way to ensure the credibility and eventual passage of the mitigation plan is to present the adopting body with letters of support from organizations and agencies on the planning team, as well as those not on the team. The community's governing body may view the plan more favorably if it has the support of neighborhood and civic organizations. Some organizations may show their commitment to implementing the plan by passing a resolution supporting it and outlining specific responsibilities that they will assume. Furthermore, supporting organizations should be encouraged to provide testimony if the plan will be adopted at a public hearing. This testimony should provide specific information on the benefits that the mitigation plan will bring to the organization's constituencies. Such testimony becomes part of the public record of the hearing.

For example, if a member of a community watershed advocacy group was part of the planning team, that group might review the plan and give its full support to the plan by outlining the group's commitment to sponsor an annual watershed clean-up day or to plant native vegetation in the open space that resulted from the acquisition of flood-prone structures. See *Getting Started* (FEMA 386-1) for more details on garnering community support.



Task C. Have the plan adopted by the proper legislative or executive authorities.

The mitigation plan will be adopted through your government's normal legal process. Depending on the laws in your state and jurisdiction, adoption of the plan will give the jurisdiction legal authority to enact ordinances, policies, or programs to reduce hazard losses and to implement other mitigation actions. Generally, most local governing bodies will adopt a hazard mitigation plan by resolution.

Build time into your planning schedule to meet federal and state deadlines for submitting the plan. Make sure you allow sufficient time for formal adoption procedures. Your local governing body may meet only once a month and may require agenda items to be submitted well ahead of time.

Task D. Submit your plan for approval.

Once your local governing body has approved the plan, it must be submitted to the State Hazard Mitigation Officer (SHMO). The SHMO should already be familiar with your plan because he or she should have reviewed a draft to determine if the plan meets DMA 2000 and other state program requirements. Someone should be designated as the point of contact with the state to answer any questions about the plan. For multi-jurisdictional plans, each jurisdiction requesting approval of the plan must document that it has been formally adopted by its respective governing body. The SHMO is responsible for forwarding the plan to the FEMA Regional Office for review.

Task E. Publicize the adoption and approval of the plan.

Once the plan has been approved, stakeholders should be informed of your success. You may want to package the message differently to reach various audiences. This can be accomplished by sending a press release to your local newspaper, holding a press conference with important civic leaders, sending a mailing, or posting a notice on the community's Web site. You may also want to celebrate your success by beginning a project immediately. For example, after the plan is approved, you may request that the governing body vote on a resolution or ordinance that is important to accomplishing your mitigation goals, or to authorize funding to undertake a highly visible project, such as flood-proofing City Hall or some other important public facility.

DMA

44 CFR §201.4(c)(6) and §201.6(c)(5) of the Interim Final Rule

require plans to be adopted before being submitted to FEMA for formal review and final approval. A copy of the resolution of adoption must be included with the plan.



Resolutions are expressions of a governing body's opinion, will, or intention and can be legally binding or not. Most planning

documents must undergo a legally binding council resolution, which, in order to be adopted, must be supported by an official vote of the majority of members.



Formal adoption of the state plan

will vary according to state protocols. Generally, states should obtain the signature of the state emergency management director as approval of the plan. The plan also can be distributed to members of the state legislature to broaden support for the plan and to potentially pave the way for any new legislation or budget items that may be necessary to carry out the plan recommendations. States must submit plans to their FEMA Regional Office for review and approval. Depending upon regional procedures, states also may opt to submit the results of the risk assessment or draft plan to FEMA for an informal review before officially adopting it and sending it to FEMA for official review and approval. Once any necessary changes have been made, the state can proceed with formal adoption and final FEMA review. If a tribal organization has developed a state-level plan, it should be submitted directly to the FEMA Regional Office.



Consider developing an executive summary

of the plan for use in publicizing it with other government agencies or partners. A brochure may be appropriate for citizens while you also make the executive summary or entire plan available to them.



Summary

By the time you finish Step 1, you will have a plan that has the support of the community, state, tribe, and elected officials. Adoption of the plan gives the plan greater authority, fulfills certain FEMA program eligibility requirements, and will ease implementation of your mitigation actions. Once the mitigation plan has been adopted, your state, tribe, or community is ready to begin implementing the mitigation strategy.



The Hazardville Post

Vol. CXIII No. 45

Friday, February 14, 2003

Town of Hazardville Adopts THORR's Plan

(Part 1 of a 4-Part Series on the Hazard Mitigation Implementation Process)

[Hazardville, EM] The Hazardville Town Council adopted the Hazardville Hazard Mitigation Plan on Thursday by resolution (included below) to serve as the town's guide in reducing risks to citizens and property. Marion Jackson, Chairperson of the Town Council, announced that "in light of the community's involvement and obvious support for the plan, indicated

by citizen turnout at the hearing and letters of support submitted for the record by respected community organizations, the Council unanimously voted to adopt the Hazardville Hazard Mitigation Plan as an official plan of the Town of Hazardville." The plan will take effect immediately.

The Town of Hazardville Organization for Risk Reduction (THORR)

was instrumental in developing the plan and marshaled its forces to support adoption of the plan through written support from the community. "This plan is one of the few community initiatives that is relatively unopposed, no doubt due to THORR's diligent public outreach efforts," Jackson said.

Resolution #2003-53

WHEREAS the Town of Hazardville has experienced severe damage from hurricanes, flooding, earthquakes, wildfires, landslides, and tornadoes on many occasions in the past century, resulting in property loss, loss of life, economic hardship, and threats to public health and safety;

WHEREAS a *Hazard Mitigation Plan* (the Plan) has been developed after more than one year of research and work by the Town of Hazardville Organization for Risk Reduction and the people of the Hazardville community;

WHEREAS the Plan recommends many hazard mitigation actions that will protect the people and property affected by the natural hazards that face Hazardville;

WHEREAS a public meeting was held to review the Plan as re-

quired by law;

NOW THEREFORE BE IT RESOLVED by the Mayor and Town Council of the Town of Hazardville that:

1. The *Hazard Mitigation Plan* is hereby adopted as an official plan of Hazardville.
2. The respective town officials identified in the strategy of the Plan are hereby directed to implement the recommended actions assigned to them. These officials will report quarterly on their activities, accomplishments, and progress to the Town of Hazardville Organization for Risk Reduction.
3. The Town of Hazardville Organization for Risk Reduction will provide annual progress reports on the status of implementation of the plan to the Mayor and Town

Council. This report shall be submitted to the Town Council by February 28th of each year.

PASSED by the Town Council of Hazardville, this 13th day of February 2003.


Council Chairperson

APPROVED by me this 13th day of February 2003.


Mayor

ATTESTED and FILED in my office this 13th day of February 2003.


Clerk



1 adopt the mitigation plan

step 2 implement the plan recommendations

3 evaluate your planning results

4 revise the plan

