



FEMA

DEC 06 2010

MEMORANDUM FOR: Mitigation Division Directors  
Regions I - X

FROM:   
Doug Bellomo, Director  
Risk Analysis Division

SUBJECT: Mitigation Planning Memorandum (MT-PL) #14  
Enhanced Mitigation Plan Review Procedure

EFFECTIVE DATE: *Required for All Enhanced Mitigation Plans Submitted  
for FEMA Review on or after January 1, 2011*

This purpose of this memorandum is to transmit the *Enhanced Mitigation Plan Review Procedure* which defines revised processes for the review and approval of State or Tribal Enhanced Mitigation Plans under Title 44 Code of Federal Regulations (CFR) Part 201. This revised process is intended to clarify existing review processes and remediate issues or gaps in the review processes previously established, with the intended outcome of fairness, consistency and transparency in the FEMA evaluation of proposed Enhanced Mitigation Plans.

These procedures will be effective for all Enhanced Mitigation Plans submitted to FEMA for review on or after January 1, 2011. This memo supersedes two previously issued memos: *Review Procedures for Enhanced State Mitigation Plans* (MT-PL #0, dated October 3, 2002) and *Approval of Enhanced State Mitigation Plans* (MT-PL #6, dated December 28, 2006).

These procedures represent FEMA's interpretation of a statute or regulation. The procedure itself does not impose legally enforceable rights or obligations but sets forth a standard operating procedure or agency practice that FEMA employees follow to be consistent, fair, and equitable in the implementation of the agency's authorities.

Attachments: Enhanced Mitigation Plan Review Procedure  
Attachment A: Enhanced Mitigation Plan Review Process & Procedures

Distribution List (electronic distribution):

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**I. TITLE: Enhanced Mitigation Plan Review Procedure**

**II. EFFECTIVE DATE:** **January 1, 2011** for all Enhanced Mitigation Plans submitted to FEMA for review on or after this date.

**III. PURPOSE:**

Update process and procedures for the review of Enhanced State Mitigation Plans or Enhanced Tribal Mitigation Plans to ensure national consistency and increase review efficiency. In particular, this memorandum defines the process for reviewing all State or Tribal Enhanced Mitigation Plans either as a (1) new Enhanced Mitigation Plan or (2) Enhanced Mitigation Plan update.

**IV. SCOPE AND APPLICABILITY:**

This process applies to State or Tribal Enhanced Mitigation Plans that are submitted for Federal Emergency Management Agency (FEMA) review on or after the Effective Date above.

**V. AUTHORITY:**

Section 322 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5165(e).

**VI. BACKGROUND:**

States or Indian Tribal governments that have an approved Enhanced Mitigation Plan (44 Code of Federal Regulations (CFR) 201.5) at the time of a disaster declaration will qualify to receive Hazard Mitigation Grant Program (HMGP) funds equivalent to up to 20% of the total estimated eligible Stafford Act disaster assistance. Section 201.5 requires Enhanced Mitigation Plans meet all requirements of the Standard State or Tribal Mitigation Plan. In addition, the State or Tribe must demonstrate that it has developed a comprehensive mitigation program, that the State or Tribe effectively uses available mitigation funding, and that the State or Tribe is capable of managing the increased funding. Specifically, the State or Tribe must: 1) demonstrate that the plan is integrated to the extent practicable with other State/Tribal and regional planning initiatives and FEMA mitigation programs and initiatives; 2) document the State's or Tribe's project implementation capability, identifying and demonstrating the ability to implement the plan; 3) demonstrate that the State or Tribe effectively uses existing mitigation programs to achieve its mitigation goals; and 4) demonstrate that the State or Tribe is committed to a comprehensive mitigation program. An approved Enhanced State or Enhanced Tribal Mitigation Plan signifies that a State or Tribe is proactive and comprehensive in its hazard mitigation program implementation.

FEMA implements a comprehensive and thorough national panel review process that allows States and Tribes to demonstrate the above requirements in order to receive FEMA approval. Panel members evaluate plans submitted for approval under the Enhanced Mitigation Plan criteria listed in the *State or Tribal Multi-Hazard Mitigation Planning Guidance*, based on 44 CFR Part 201. Enhanced Mitigation Plan review procedures were originally detailed in FEMA memoranda dated October 3, 2002 and December 28, 2006. As stated in the 2002 memo, this process is to be reviewed and revised as necessary.

Since program initiation in 2002, FEMA received, reviewed and approved numerous State Enhanced Mitigation Plans and collected feedback from the national review panels conducted for these plans. That feedback, in particular feedback from the 2007-2009 plan reviews, prompted a review and revision of the process to increase efficiency, consistency, transparency and equitability.

In March, 2010, FEMA assembled a subject matter expert work group composed of three State, three FEMA Region and two FEMA Headquarters (HQ) representatives to provide guidance and expertise as the existing plan review procedures were evaluated and updated. Although not part of the formal Enhanced Plan Review Procedures work group, input was also provided by State Hazard Mitigation Officers through the National Emergency Management Association (NEMA) and other FEMA Regional and HQ staff. Discussions focused on key issues encountered during prior plan reviews and solutions that would meet the needs of all stakeholders. Key issues were transparency, review timing, and clarity on roles and responsibilities. The work group defined solutions through a series of facilitated consensus meetings.

Significant outcomes of this procedure update include retention of and redefining the panel review process, requiring development of a communications plan between the submitting State or Tribe and Region, and defining plan submittal standards and review timeframes.

## **VII. PROCEDURE:**

State and Tribal Enhanced Mitigation Plans will fall into one of the following status categories: (1) new Enhanced Mitigation Plan or (2) Enhanced Mitigation Plan update. Although plan submittal requirements remain the same, separate review processes will be associated with each of the different plan status categories listed above. Each review process represents an efficient, transparent, consistent and appropriate approach for the plan's status. **Table 1** shows plan status categories and review requirements.

### **A. New Enhanced Plan**

A "New Enhanced Plan" is a plan submitted by a State or Tribe that has never had an approved Enhanced Mitigation Plan. If a State or Tribe submitted an Enhanced Mitigation Plan for review, but it was never approved by FEMA, the next Enhanced Mitigation Plan submittal will fall under this category as well. New Enhanced Mitigation Plans will be reviewed by a National Review Panel composed of two State/Tribe, two FEMA Region, and two FEMA HQ representatives. If a delay in assembling a full Panel will significantly affect timely review of the Plan, a Panel of no less than one State/Tribe, one FEMA Region and one FEMA HQ representative will be assembled. In the case of a minimum Panel size, each Panel member must have prior experience serving on an Enhanced Mitigation Plan National Review Panel.

**Table 1. Enhanced Mitigation Plan Status and Review Requirements.**

ENHANCED PLAN STATUS	PANEL TYPE			PANEL COMPOSITION
	Regional	National	Expedited	
(A) New Enhanced Plan		✓	(✓) Upon request	2S/T - 2R - 2HQ Std. 1S/T - 1R - 1HQ Min.
(B) Enhanced Plan Update	(i) Continuous	✓	(✓) Upon request	Established by Region
	(ii) Expired	✓	(✓) Upon request	Established by Region
	(iii) Lapsed Grants Performance		See (A) New Enhanced Plan	
<i>(A) State or Tribe has never received FEMA approval for an Enhanced Mitigation Plan</i>				
<i>(B) (i) Complete Enhanced Mitigation Plan submitted prior to expiration of currently approved State or Tribal Enhanced Mitigation Plan</i>				
<i>(ii) Complete Enhanced Mitigation Plan submitted no more than 6 months after expiration of the State or Tribal Enhanced Mitigation Plan</i>				
<i>(iii) Enhanced Mitigation Plan does not meet program management capability requirements (§201.5(b)(2)(iii)), and resubmission requires no less than 12 months of continuous program management.</i>				
S/T = State/Tribe; R = FEMA Region; HQ = FEMA Headquarters; Std = Standard; Min = Minimum				

The FEMA Region within which the State or Tribe is located will complete its review of the Enhanced Mitigation Plan within 45 days of the State's or Tribe's submission of the complete Enhanced Mitigation Plan. During that 45 day Regional review, FEMA HQ will assemble the National Review Panel. Once convened, the National Review Panel will complete its review and provide timely feedback through the FEMA Region to the submitting State or Tribe. The total FEMA Regional and National Review Panel plan review cycle for a "New Enhanced Plan" will not exceed 60 days, whenever possible. However, additional review time may be necessary either from the Regional or National reviews if required revisions are identified.

FEMA has determined that the minimum acceptable timeframe for New Enhanced Mitigation Plans to demonstrate program management capability under §201.5(b)(2)(iii) is at least 4 quarters (12 months).

## **B. Enhanced Plan Update**

### **(i) Continuous**

A "Continuous Enhanced Plan Update" is a plan submitted by a State or Tribe that has a current, approved Enhanced Mitigation Plan that has not expired. A plan is categorized as a continuous update if it is submitted to their respective Regional office at least 45 days prior to expiration. Continuous plan updates will be reviewed by the State's or Tribe's home Region under processes established by the Region.

To monitor national consistency, all Enhanced Mitigation Plan updates will be copied to the corresponding FEMA HQ Desk Officer who will review the plan within the same 45 day review period. The Region will coordinate with and incorporate Headquarters comments into the Regional review. This monitoring will not delay a Regional review. The Region will maintain responsibility to approve or disapprove Continuous Enhanced Mitigation Plan Updates.

A Continuous Enhanced Plan Update review will be completed within the same 45 days allowed for the Standard Plan review. This will complete the review process within a total of 45 days of the State's or Tribe's submission. However, additional review time may be necessary if required revisions are identified.

If the State or Tribe is not satisfied with the outcome of the Regional review, it may request a National Review Panel. This secondary review process will follow the same panel composition and process as a New Enhanced Plan. If the State/Tribe requests this secondary review, the National Review Panel will complete its review within 30 days of the State/Tribe request for the National Review Panel. The State/Tribe may not request a National Panel Review to reconsider the Regional review under §201.5(b)(2)(iii) for program management.

If the Continuous Enhanced Plan Update review extends beyond the plan's expiration date, the Region may approve the Standard Plan as an interim approval if the Region has determined that all Standard Plan elements have been met. This will ensure continued program eligibility for the State/Tribe, while still allowing the Enhanced

review process and any required revisions to be completed. Once all Enhanced Mitigation Plan requirements have been met, a new approval date will be issued for a full three year period. However, if any required revisions to the Enhanced Mitigation Plan are not met within 30 days of receipt of either the Regional or, where applicable, the National Review Panel review, then the original State or Tribal Standard Mitigation Plan approval date will apply.

**(ii) Expired**

An “Expired Enhanced Plan Update” is a plan submitted by a State or Tribe that has an Enhanced Mitigation Plan that has expired. As described in the section above, a plan submitted for review at least 45 days prior to expiration will be considered a Continuous Enhanced Plan Update. A plan submitted without the sufficient review time of 45 days or submitted up to 6 months after the Enhanced Mitigation Plan expiration date is considered an Expired Enhanced Plan Update. Expired Enhanced Plans Updates will be reviewed by the State’s or Tribe’s respective FEMA Regional office under processes established by the Region.

To monitor for national consistency, all Enhanced Mitigation Plan updates will be copied to the corresponding FEMA HQ Desk Officer who will review the plan within the same 45 day review period. The Region will coordinate with and incorporate Headquarters comments into the Regional review. This monitoring will not delay a Regional review. The Region will maintain responsibility to approve or disapprove Expired Enhanced Plan Updates.

Enhanced Mitigation Plans that are submitted more than 6 months after the expiration date must include an update of *all* Standard and Enhanced Mitigation Plan elements, and will be reviewed as a New Enhanced Mitigation Plan (see Item A above).

If the State or Tribe is not satisfied with the outcome of the Regional review, it may request a National Review Panel. This secondary review process will follow the same panel composition and process of a New Enhanced Plan. If the State/Tribe requests this secondary review, the National Review Panel will complete its review within 30 days of the State/Tribe request for the National Review Panel. The State/Tribe may not request a National Panel Review to reconsider the Regional review under §201.5(b)(2)(iii) for program management.

Prior to expiration, the State or Tribe may have submitted and received approval of their Standard Mitigation Plan, but not an Enhanced Mitigation Plan. Plan approval for an Expired Enhanced Plan Update as defined within this section will be for the remaining balance of the three years to coincide with approval of the State or Tribal Standard Mitigation Plan.

**(iii) Lapsed Grants Performance**

“Lapsed Grants Performance” refers to the Enhanced Mitigation Plan criteria under 44 CFR 201.5(b)(2)(iii). A plan update submitted by a State or Tribe that the Region determines does not meet the requirements under §201.5(b)(2)(iii) is considered to have “lapsed grants performance.” The State or Tribe will be required to demonstrate

program management capability prior to resubmitting their Enhanced Mitigation Plan to FEMA. FEMA has determined that the minimum acceptable timeframe to demonstrate program management capability is at least 4 quarters (12 months). After that time, the State or Tribe may resubmit their Enhanced Mitigation Plan to FEMA for review. Under these conditions, the plan will be treated as a New Enhanced Plan (see Item A above).

**C. Expedited Plan Review**

An “Expedited Plan Review” may be completed for either a New or Updated Enhanced Mitigation Plan. States or Tribes may only ask for an Expedited Plan Review when there is the immediate threat of an event that could result in a major disaster, or when an event has recently occurred and a major disaster declaration request is expected. For example, an immediate threat may occur when a hurricane is projected to make landfall. However, not all disaster events can be known prior to their occurrence (i.e., “no notice” events). The State or Tribal Hazard Mitigation Officer may only ask for an expedited plan review for New Enhanced Mitigation Plans that were submitted at least 60 days prior to asking for an expedited plan review, or for Enhanced Mitigation Plan Updates that were submitted at least 45 days prior to asking for an expedited plan review. Expedited Enhanced Plan reviews will not be completed *after* a Presidential disaster declaration for the given event, per Section 322(e)(1) of the Stafford Act (42 U.S.C. 5165).

An expedited review of an Enhanced Mitigation Plan that meets the conditions above will be completed within 5 business days. FEMA cannot guarantee plan approval, but at a minimum FEMA will demonstrate on an expedited schedule whether the plan is approvable or not.

**VIII. ORIGINATING OFFICE:**

Risk Analysis Division, Federal Insurance and Mitigation Administration

**IX. SUPERSESION:**

This procedural clarification supersedes previous memorandum related to this subject including:

- *Review Procedures for Enhanced State Mitigation Plans*. October 3, 2002
- *Approval of Enhanced State Mitigation Plans*. December 28, 2006

**X. REVIEW DATE:** Not later than five years from date of publication.

This represents FEMA’s interpretation of a statute or regulation. The procedures themselves does not impose legally enforceable rights or obligations but sets forth a standard operating procedure or agency practice that FEMA employees follow to be consistent, fair, and equitable in the implementation of the agency’s authorities.

**ATTACHMENT A:**  
**Enhanced Mitigation Plan Review Process & Procedures**

1. **Notification.** State / Tribe notifies FEMA Region a minimum of 1 month prior to plan submittal. Within that month:
  - a. State / Tribe and FEMA Region establish a communication plan that will include a schedule, notification milestones, points of contact and the preferred communication mechanism(s) (e.g., email, telephone, or hard copy letter).
  - b. FEMA Region notifies FEMA HQ of estimated submittal date and shares communication plan with FEMA HQ.
  
2. **Submittal.** State / Tribe submits complete Enhanced Mitigation Plan and Plan Review Crosswalk to FEMA Region. A complete Enhanced Mitigation Plan includes all required elements of an Enhanced Mitigation Plan, including Standard and Enhanced Mitigation Plan elements per 44 CFR §201.5.
  - a. Plan must be fully paginated (except for web versions).
  - b. Crosswalk must be fully paginated, include page references or specific web page references, and include an acronym list that defines all acronyms used in the Crosswalk.
  - c. Plans will be submitted electronically via email, CD/DVD, file transfer protocol (FTP), or a link to the plan's web page, following the communication plan established in Step 1 above.
  - d. Hard copies may be provided, but are secondary to electronic formats.
  
3. **Regional Review.** FEMA Region completes Regional review of the Enhanced Mitigation Plan in accordance with procedures established by the Region.
  - a. Program Management Review: FEMA Regional point-of-contact coordinates with respective grant program managers to complete the program management review per 44 CFR 201.5(b)(2)(iii) concurrent with the review of all other elements of the Enhanced Mitigation Plan. If the FEMA Region determines the plan is not approvable based on program management capability elements (i.e., "Lapsed Grants Management" per 44 CFR 201.5(b)(2)(iii)), the State / Tribe will not be eligible to resubmit the Enhanced Mitigation Plan for a minimum of 12 months, during which time the State or Tribe must demonstrate a minimum of 4 consecutive quarters of program management capability.
  
  - b. New Enhanced Mitigation Plan
    - i. FEMA Region completes internal Regional review process, including Program Management (see 3a above).

- ii. FEMA Region notifies State / Tribe of review status milestones as defined in the communication plan (per 1a above). FEMA Region notifies FEMA HQ of status milestones.
  - iii. If, upon completion of the FEMA Regional review, required revisions are identified, the FEMA Region sends completed plan review to State / Tribe and coordinates with the State / Tribe to adjust the schedule based on the expected revisions to the Enhanced Mitigation Plan.
  - iv. Upon satisfaction that all elements of the Regional review process have been met, the FEMA Region submits Enhanced Mitigation Plan to FEMA HQ for National Review Panel. (Proceed to Step 4)
- c. Continuous or Expired Enhanced Mitigation Plan Update
- i. FEMA Region completes internal Regional review process, including Program Management (see 3a above).
  - ii. FEMA Region sends a copy of the Enhanced Mitigation Plan Update to the FEMA HQ Desk Officer for parallel consistency review. FEMA HQ Desk Officer coordinates comments with Region.
  - iii. FEMA Region notifies State / Tribe of review status milestones as defined in the communication plan (per 1a above). FEMA Region notifies FEMA HQ of status milestones.
  - iv. If, upon completion of the FEMA Regional review, required revisions are identified, the FEMA Region sends completed plan review to State / Tribe and coordinates with the State / Tribe to adjust the schedule based on the expected revisions to the Enhanced Mitigation Plan.
  - v. If the State / Tribe is not satisfied with the outcome of the FEMA Regional review, the State / Tribal Hazard Mitigation Officer may request a National Review Panel via the mechanism established in the communication plan. (Proceed to Step 4)
- d. Expedited Plan Review
- i. If there is the immediate threat of an event that could result in a major disaster, or if an event has recently occurred and a major disaster declaration request is expected, the State or Tribe may ask for an Expedited Plan Review through the mechanism defined in the communication plan (see 1a above).
  - ii. If an Enhanced Mitigation Plan Update, FEMA Region will complete its review within 5 business days, and provide the State / Tribe with a completed plan review, including Plan Review Crosswalk that identifies whether the plan is approved or requires revisions.
  - iii. If a New Enhanced Mitigation Plan, both the FEMA Region and a National Review Panel will complete within 5 business days their respective reviews and provide the State / Tribe a combined plan review,

including Plan Review Crosswalk that identifies whether the plan is approvable or requires revisions.

- iv. If, upon completion of the FEMA review, required revisions are identified, the FEMA Region sends completed plan review to State / Tribe and coordinates with the State / Tribe to adjust the schedule based on the expected revisions to the Enhanced Mitigation Plan.

#### **4. National Review Panel.**

- i. Upon notification from the FEMA Region that an Enhanced Mitigation Plan has been submitted to the FEMA Regional office for review, FEMA HQ identifies and assembles a National Review Panel comprised of State/Tribe, FEMA Region and FEMA HQ panelists.
- ii. Upon receipt of the Plan from the FEMA Region, FEMA HQ Desk Officer and FEMA Regional Mitigation planner 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.
- iii. Each National Review Panelist completes an independent review of the plan and submits a completed Plan Review Crosswalk to the FEMA HQ Desk Officer.
- iv. FEMA HQ Desk Officer consolidates comments into a single Plan Review Crosswalk and distributes to Panelists.
- v. FEMA HQ Desk Officer 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.
- vi. The FEMA HQ Desk Officer notifies the Region of the Panel outcome.
- vii. If, upon completion of the National Review Panel, the plan meets all Enhanced Mitigation Plan requirements, FEMA Region will send a notice of approval or approvable pending adoption to the State / Tribe. FEMA Region forwards final approval letter to the FEMA HQ Desk Officer.
- viii. If, upon completion of the National Review Panel, required revisions are identified, the FEMA Region sends National Review Panel Plan Review Crosswalk to State / Tribe and coordinates with the State / Tribe to adjust the schedule based on the expected revisions to the Enhanced Mitigation Plan. Upon receipt of the State/Tribe revisions, FEMA Region and HQ Desk Officer confirm whether all required revisions have been met. Additional communications with the State/Tribe may be required if all requirements still have not been met. (Proceed to Step 5)

#### **5. Approval.**

- i. Upon satisfactory completion of all Enhanced Mitigation Plan requirements, the FEMA Region will send a notice of approval or approvable pending adoption to the State / Tribe. The Region forwards final approved plan, final Plan Review Crosswalk and final approval letter to the FEMA HQ Desk Officer. (End of Process)

## Enhanced Plan Review Procedure Summary

Enhanced Plan Category	Process Summary	Timeline
<p><b>A. New Enhanced Plan</b> submitted when State/Tribe is ready (<i>this process is identical to the existing process for Enhanced Plan reviews</i>) and</p> <ol style="list-style-type: none"> <li>1. State/Tribe never had an approved Enhanced Plan before;</li> <li>2. <b>State Lapsed Grants Performance</b>, but submitting good record for at least one year; or</li> <li>3. State had Enhanced Plan that <b>Expired</b> more than 6 months prior to submittal.</li> </ol>	<p>Region will review the plan within <b>45 days</b> of submittal</p> <p>During 45 day Regional review:</p> <ul style="list-style-type: none"> <li>• HQ assembles panel</li> <li>• Revisions may be required</li> </ul> <p>After Regional review:</p> <ul style="list-style-type: none"> <li>• National Panel convenes</li> </ul> <p><b>Total time for Regional Review + National Panel review of plan will not exceed 60 days, whenever possible.</b></p>	<p><b>Day 1:</b> Submittal to Region</p> <p><b>Day 45:</b> Region completes their review</p> <ul style="list-style-type: none"> <li>• Between Days 1-45 HQ assembles full review panel with HQ, State and Regional reviewers while Region is conducting their review</li> </ul> <p><b>Day 60: National Review Panel provides feedback to the State/Tribe</b></p> <ul style="list-style-type: none"> <li>• Additional review time may be necessary either from the Regional or National reviews if required revisions are identified.</li> </ul>
<p><b>B. Updated Enhanced Plan (Continuous)</b> must be submitted to Region at least 45 days prior to plan expiration, or up to 6 months after Enhanced Plan expiration date.</p>	<p><u>Initial Review:</u> Region/HQ desk officer will do joint review within <b>45 days</b>. Plan will either be approved or returned for revisions in this timeframe.</p> <p><u>Optional Secondary Review:</u> If State/Tribe is not satisfied with outcome of Regional review, a National Review Panel can be requested and will be completed within <b>30 days</b>.</p>	<p><b>Initial Review</b></p> <p><b>Day 1:</b> Submitted to Region</p> <p><b>Day 45:</b> Region and HQ Desk Officer makes determination</p> <p><b>Optional Secondary Review (State/Tribe not satisfied with outcome of Regional review):</b></p> <p><b>Day 1:</b> HQ begins to assemble full Review Panel</p> <p><b>Day 30:</b> Region shares outcome of panel review with State/Tribe</p> <ul style="list-style-type: none"> <li>• Additional review time may be necessary either from the Regional or National reviews if required revisions are identified.</li> </ul>
<p><b>C. Expedited Review</b> may be requested when there is the immediate threat of an event that could result in a major disaster, or when an event has recently occurred and a major disaster declaration request is expected.</p>	<p>May be requested for review process described above. FEMA will review the Enhanced Plan <b>within 5 business days</b> of a request for Expedited review, only if:</p> <ul style="list-style-type: none"> <li>• The <b>New Enhanced Plan</b> was submitted at least 60 days prior to the request; or</li> <li>• The <b>Updated Enhanced Plan</b> was submitted at least 45 days prior to the request.</li> </ul>	<p><b>Updated Enhanced Plans</b></p> <p>describe for either <b>A. New</b> or <b>B. Updated Enhanced Plans</b> described above. FEMA will review the Enhanced Plan <b>within 5 business days of a request</b> for Expedited review, only if:</p> <ul style="list-style-type: none"> <li>• The <b>New Enhanced Plan</b> was submitted at least 60 days prior to the request; or</li> <li>• The <b>Updated Enhanced Plan</b> was submitted at least 45 days prior to the request.</li> </ul>