# FEMA FAQs: Updates to State and Local Mitigation Planning Policy Guides

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# On April 19, 2022, FEMA updated the State and Local Mitigation Planning Policy Guides (policies). On April 19, 2023, they went into effect. This means that all state and local plans must meet the updated requirements. The policies are the official interpretation of the requirements in the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), as amended. They are also the interpretation of the requirements in other federal statutes and regulations, specifically Title 44 Code of Federal Regulations (CFR) Part 201 Mitigation Planning.

What are the local and state mitigation planning policies?

The State and Local Mitigation Planning Policy Guides are FEMA’s official policies on and interpretation of the requirements in law and regulations. This includes Title 44 CFR Part 201 Mitigation Planning. They support the review and approval of hazard mitigation plans. These plans are required for some types of FEMA non-emergency assistance.

# Why were the policies updated?

FEMA requires a routine review and updates to the policies. This lets FEMA improve the policies to help stakeholders meet the federal requirements for mitigation plans. It also means the policies can reflect related legislative, programmatic and regulatory changes.

# What has changed?

The standard state updates:

* Require that state plans weigh equity and the impacts of climate change.
* Outline those taking part in the state planning process.
* Require the state to describe building code adoption and enforcement, land use, [Nation Flood Insurance Program (NFIP)](https://www.fema.gov/flood-insurance) administration, and flood risk mapping in the capability assessment.
* Include current plan requirements for the [High Hazard Potential dams (HHPD)](https://www.fema.gov/emergency-managers/risk-management/dam-safety/rehabilitation-high-hazard-potential-dams) grant program to include all dam risks; remove the optional Repetitive Loss Strategy.
* Include current plan requirements for the [Fire Management Assistance](https://www.fema.gov/assistance/public/fire-management-assistance) Grants program.

The enhanced state updates:

* Give more advanced lead times and pre-submission coordination for new enhanced states; lay out a more detailed plan submission and review process.
* Require states that wish to become enhanced to first show they can meet [Hazard Mitigation Assistance (HMA)](https://www.fema.gov/grants/mitigation) grant performance requirements.
* Require that states prove that local jurisdictions have approved mitigation plans. The state must show how it supports the update and adoptions of these plans before they expire.
* Urge enhanced states to [adopt and enforce building codes](https://www.fema.gov/emergency-managers/risk-management/building-science/building-codes-strategy) that advance mitigation and resilience.

The local updates:

* Require local governments to include the effects of future conditions in their risk assessments.
* Define who local governments must include in the planning process.
* Highlight how adopting and enforcing building codes and land use and development ordinances affects how the local government can improve mitigation capabilities.
* Make it easy to align with other FEMA mitigation programs such as [the NFIP](https://www.fema.gov/flood-insurance), [Community Rating System](https://www.fema.gov/floodplain-management/community-rating-system), and [flood risk mapping program](https://www.fema.gov/flood-maps/tools-resources/risk-map).
* Lay out the need to right-size the scope of a plan update, weigh both current and future risks, and complete the planning process by adopting the plan.
* Include current mitigation plan requirements for the [HHPD](https://www.fema.gov/emergency-managers/risk-management/dam-safety/rehabilitation-high-hazard-potential-dams) grant program to include all dam risks; remove the optional Repetitive Loss Strategy.
* Rearrange requirements for ease of use.

# How were these changes decided?

The updates were made through a joint effort with FEMA stakeholders and partners. FEMA received more than 400 comments from state, local, private, academic, nongovernmental, regional and other federal partners. You can find a summary of stakeholder feedback on FEMA’s Policy Update webpage.

# When did the updated polices go into effect?

The State and Local Mitigation Planning Policies were released on April 19, 2022. They went into effect for all plans approved by FEMA starting on or after April 19, 2023.

# If I started my plan update before April 19, 2023, do I need to switch to the updated policies?

Yes, since your plan will be approved after April 19, 2023. The year between the release date and the effective date gave time to review what is in the new policies.

# What if my jurisdiction took part in a multi-jurisdictional plan, and one jurisdiction adopted the plan, but my jurisdiction was in Approvable Pending Adoption (APA) status when the updated policy went into effect?

If a jurisdiction took part in a mitigation plan that FEMA approved under the 2011 Local Mitigation Plan Review Guide but was still in APA status as of April 19, 2023,it does not need to meet the requirements of the updated policy to get final approval following adoption, except if it’s been more than one year since the jurisdiction received APA status In that case, under the now effective updated policy, the jurisdiction needs to validate that their information is still current, or update their information. FEMA advises all jurisdictions to adopt and submit the adoption resolution with the plan. All plans approved on or after, April 19, 2023 must meet the updated policy to be approved.

# What does the word “all” mean in the HMA Grants Performance requirements for state enhanced plans? For instance, what does “all applications are complete and submitted by the end of each program’s respective application period” Mean?

Here, the word “all” means that the state must meet the requirement 100% of the time. That said, FEMA can weigh factors such as multiple disasters as described by the state.

# Are there resources to help me understand these changes?

FEMA provides tools and resources to help people understand the updates. That includes scheduling more training sessions for local planners; updating our courses with EMI; and providing plan reviews and other technical assistance.

Since the release of the updated Guides in April 2022, FEMA created and revised several resources. These are meant to help local, state and territorial partners with their mitigation programs.

* FEMA updated its **core training materials for state and local planning**. They now include the new policy information. To host or request a training, reach out to your [Regional Community Planner](https://www.fema.gov/about/organization/regions).
* The four **State Mitigation Planning Key Topics Bulletins** walk through the concrete ways states can update their plans to line up with the State Policy Guide. They offer step-by-step how-tos for the [planning process](https://www.fema.gov/sites/default/files/documents/fema_state-mitigation-planning-key-topics-bulletin-planning-process_2022.pdf), [risk assessment](https://www.fema.gov/sites/default/files/documents/fema_state-mitigation-planning-key-topics-bulletin-risk-assessment_2022.pdf), [mitigation capabilities](https://www.fema.gov/sites/default/files/documents/fema_state-mitigation-planning-key-topics-bulletin-mitigation-capabilities_2022.pdf) and [mitigation strategy](https://www.fema.gov/sites/default/files/documents/fema_state-mitigation-planning-key-topics-bulletin-mitigation-strategy_2022.pdf).
* The [**Planning the Mitigation Program Consultation: Resources for States, DC and Territories**](https://www.fema.gov/sites/default/files/documents/fema_planning-mitigation-consultation_2022.pdf) toolkit helps FEMA and partners plan the yearly consultation. It includes checklists to help pinpoint agenda items and host meetings.
* This [**Enhanced State Validation Toolkit**](https://www.fema.gov/sites/default/files/documents/fema_enhanced-state-validation-toolkit_2022.pdf) provides resources for FEMA and state planning partners to develop performance measures and commitments for annual validations. These ensure their enhanced mitigation program is on track.
* The updated **Local Mitigation Planning Handbook** lays out how to create a local mitigation plan. It uses plain language and examples to make the planning process clearer.

**Do you have any other questions?**

This document will be updated on a regular basis to address common questions. Please reach out to your FEMA regional mitigation planner or email FEMA-Mitigation-Planning@fema.dhs.gov.