

Section Seven **Hazard Mitigation**

Purpose

This section establishes actions, policies and procedures for implementing hazard mitigation programs at the local level

Authorities and References

The following laws and regulations govern the hazard mitigation process:

- Disaster Mitigation Act (DMA2000) (PL106-390) Section 322 Mitigation Planning establishes the requirement for local, state and tribal mitigation plans.
- Disaster Mitigation Act (DMA2000) (PL106-390) Section 203 authorizes the Pre-disaster Mitigation (PDM) grant program.
- Robert T. Stafford Disaster Assistance and Emergency Relief Act (Stafford Act) (PL93-288) Section 404 authorizes the Hazard Mitigation Grant Program.
- 44 CFR (Code of Federal Regulations, Title 44) Parts 201 and 206 implement policies and procedures that apply to Mitigation Planning and the Hazard Mitigation Grant Program.
- National Flood Insurance Act established the National Flood Insurance Program (NFIP) and the Flood Mitigation Assistance (FMA) Program.
- California Emergency Services Act, Chapter 7, Division 1, Title 2 of the Government Code California Disaster Assistance Act (CDA), 406 Mitigation.

General

Hazard mitigation is defined as any action taken to reduce or eliminate the long-term risk to human life and property from disasters. Section 322 of Public Law 106-390 requires, as a condition of receiving certain federal disaster aid, that local governments develop a mitigation plan that outlines processes for identifying the natural hazards, risks and vulnerabilities in their jurisdiction. Mitigation plans must:

- Describe actions to mitigate hazards, risks and vulnerabilities identified under the plan.
- Establish a strategy to implement those plans.

Specific plan requirements are listed in 44 CFR Section 201.6. Local jurisdictions without an approved hazard mitigation plan will not be eligible to receive funds for the Hazard Mitigation Grant (HMGP), Pre-Disaster Mitigation (PDM) or Flood Mitigation Assistance (FMA) programs.

Local mitigation plans are the jurisdiction's commitment to reduce risks from natural hazards and guide decision makers as they commit resources to reduce the damage from natural hazards. Hazard mitigation planning and actions are continuous year-round efforts.

Reference: City of Bradbury's Natural Hazard Mitigation Plan

Hazard Mitigation Grants

Pre-Disaster Mitigation (PDM)

The Pre-Disaster Mitigation (PDM) grant program may provide financial assistance to local jurisdictions to develop and update plans or identify and mitigate pre-disaster conditions to reduce vulnerability.

PDM funding is provided through the National Pre-Disaster Mitigation Fund and is subject to Congressional appropriations. PDM projects are nationally competitive and opportunities to apply for grants are announced once a year by the Governor's Office of Emergency Services.

Hazard Mitigation Grant Program (HMGP)

Following a disaster, mitigation opportunities and financial assistance may be available through the Hazard Mitigation Grant Program (HMGP). The program funds projects that are cost-effective and which substantially reduce the risk of future damage, hardship, loss or suffering as a result of a natural disaster. The HMGP is funded for each disaster. Total allocation is based upon a sliding scale of between 7.5 and 15 percent of the Federal Emergency Management Agency's (FEMA) estimate of all public infrastructure damages (not emergency work) and individual assistance costs in a particular disaster. As an incentive to encourage the development of local plans, DMA2000 permits local governments to be eligible for up to a 20 percent share of the total damages estimated in the Public and Individual Assistance programs if they have an approved local hazard mitigation plan. HMGP awards are competitive among jurisdictions that are part of the disaster declaration.

Flood Mitigation Assistance Program (FMA)

FEMA's Flood Mitigation Assistance Program (FMA) provides funding to communities to reduce or eliminate the long-term risk of flood damage to buildings, manufactured homes and other structures insurable under the National Flood Insurance Program (NFIP). The program provides grants for mitigation planning, projects and technical assistance to reduce claims under the NFIP. A priority of the FMA Program is to fund flood mitigation activities that reduce the number of repetitive loss structures insured by the NFIP. Repetitive loss structures are those that have sustained two or more losses, each exceeding \$1000, within a ten year period. FEMA encourages communities to develop plans that address repetitive loss properties.

The federal contribution for an individual HMGP, PDM or FMA project can be up to 75 percent of the cost of the proposed project with applicants providing matching funds through a combination of either state, local or private sources. Awards go to projects that best demonstrate the goals and objectives of local mitigation programs. HMGP funding may not be used to fund any mitigation project that is eligible under Public Assistance or other federal programs, though it may be used to complement or enhance mitigation funded under Individual or Public Assistance.

Implementation

Following each Presidentially declared Emergency or Major Disaster, the Regional Director of the Federal Emergency Management Agency (FEMA) and the Governor sign a document called the Federal/State Agreement. This agreement includes appropriate provisions for hazard mitigation, such as:

- Evaluate or have the applicant evaluate specific natural hazards in the disaster area and make appropriate recommendations to mitigate them.
- Follow up with applicants to ensure that the appropriate hazard mitigation actions are taken.
- Follow up with applicants to ensure that the appropriate hazard mitigation plans are developed and submitted to the FEMA Regional Director for concurrence.
- Review and update disaster mitigation portions of emergency plans.

A hazard mitigation officer is appointed for the state and local applicant. These individuals constitute the hazard mitigation survey team which will:

- Identify significant hazards in the affected areas, giving priority to disaster-related hazards.
- Evaluate impacts of these hazards and recommend mitigation measures.

The hazard mitigation survey team uses information from Project Worksheets (PWs) and visits selected sites where significant damage has occurred. The survey team is responsible for ensuring an adequate consultation among interested federal, state and local parties. The survey team also prepares a hazard mitigation plan which is submitted to the FEMA Regional Director through the Governor's Authorized Representative within 180 days after a Presidential declaration. The plan:

- Recommends hazard mitigation measures for local, state and federal agencies.
- Establishes short and long-term planning frameworks for implementation of hazard mitigation efforts.

The State sets mitigation priorities and awards for HMGP grants. FEMA conducts the final eligibility review to ensure that all projects are compliant with Federal regulations. This includes the Federal law that requires States and communities to have FEMA-approved mitigation plans in place prior to receipt of HMGP project funds.

Responsibilities

Hazard mitigation measures include avoidance, reduction and land use regulations. Key responsibilities of local governments are to:

- **Participate** in the process of evaluating hazards and adoption of appropriate hazard mitigation measures, including land use and construction standards.
- **Appoint** a Local Hazard Mitigation Officer, if appropriate.
- **Participate** on Hazard Mitigation Survey Teams and Inter-agency Hazard Mitigation Teams, as appropriate.
- **Participate** in the development and implementation of section 409 plans or plan updates, as appropriate.
- **Coordinate and monitor** the implementation of local hazard mitigation measures.