

Local Mitigation Plan Review Tool Guide 2023

Vermont Supplemental Aid to the FEMA [Local Mitigation Planning Policy Guidance](#).

Element A: Planning Process

Element A Requirements

A1. Does the plan document the planning process, including how it was prepared and who was involved in the process for each jurisdiction? (Requirement 44 CFR § 201.6(c)(1))

A1-a. Does the plan document how the plan was prepared, including the schedule or time frame and activities that made up the plan's development, as well as who was involved?

Either (1) include narrative with details on meeting discussion, attendees, and topics discussed to show how participants contributed to the plan in and outside of meetings **and/or** (2) include meeting minutes, sign in sheets, emails, etc. in plan appendix.

A1-b. Does the plan list the jurisdiction(s) participating in the plan that seek approval, and describe how they participated in the planning process?

For multijurisdictional and single jurisdictional plans, list agency and title of the representatives for each jurisdiction that participated in plan development.

Element A Requirements

A2. Does the plan document an opportunity for neighboring communities, local and regional agencies involved in hazard mitigation activities, and agencies that have the authority to regulate development as well as businesses, academia, and other private and non-profit interests to be involved in the planning process? (Requirement 44 CFR § 201.6(b)(2))

A2-a. Does the plan identify all stakeholders involved or given an opportunity to be involved in the planning process, and how each stakeholder was presented with this opportunity?

As applicable, describe how the following stakeholders were invited to participate and how they were instructed to provide feedback. Include the agency, organization, and/or municipality's name and the person's title or position to whom the invitation was sent.

1) Local and regional agencies involved in hazard mitigation activities - public works/highway department, emergency management, local floodplain administration, and regional planning.

2) Entities that have the authority to regulate development - zoning, planning, health, building inspection, or other elected officials.

3) Neighboring communities

4) Representatives of businesses, schools/academia, and other private organizations that sustain community lifelines - utilities. Community lifelines are: safety and security; health and medical; communications; hazardous materials; food, water, shelter; energy (power and fuel); and transportation.

5) Representatives of nonprofit organizations, including community-based organizations that work directly with or provide support to vulnerable populations or frontline communities - housing, healthcare, etc. (Consult your LEMP for vulnerable populations identified)

Note: State what stakeholder groups are and are not present/active in the planning area. If a stakeholder group listed above is not present/active in the planning area, they do not need to be engaged in the planning process. Effort counts - show that notice of the planning process and the invitation for people to engage was advertised in multiple different locations, including in places that are not typically used for municipal activities.

A3. Does the plan document how the public was involved in the planning process during the drafting stage and prior to plan approval? (Requirement 44 CFR § 201.6(b)(1))

A3-a. Does the plan document how the public was given the opportunity to be involved in the planning process and how their feedback was included in the plan?

Document how the public had an opportunity to be involved in the planning process prior to draft plan, and how feedback was included throughout the planning process. Public participation must take place prior to submitting the draft plan for review. Include how vulnerable/ underserved/ frontline communities within the planning area were given the opportunity to be involved.

Note: Consult the LEMP for identified vulnerable populations.

Element A Requirements

A4. Does the plan describe the review and incorporation of existing plans, studies, reports, and technical information? (Requirement 44 CFR § 201.6(b)(3))

A4-a. Does the plan document what existing plans, studies, reports and technical information were reviewed for the development of the plan, as well as how they were incorporated into the document?

Explain which plans/studies/reports/technical information were reviewed, how they were reviewed, and how that information was incorporated into the plan. Use current/best available data. Include reference to regulatory flood maps (FIRM effective date) if the community participates in NFIP. Other flood mapping products may also be incorporated.

Element B: Risk Assessment

Element B Requirements

B1. Does the plan include a description of the type, location, and extent of all natural hazards that can affect the jurisdiction? Does the plan also include information on previous occurrences of hazard events and on the probability of future hazard events? (Requirement 44 CFR § 201.6(c)(2)(i))

B1-a. Does the plan describe all natural hazards that can affect the jurisdiction(s) in the planning area, and does it provide the rationale if omitting any natural hazards that are commonly recognized to affect the jurisdiction(s) in the planning area?

All of the natural hazards identified in the SHMP should be addressed in an LHMP, whether by detailed discussion or incorporation into the omission rationale.

Include an omission rationale for the hazards that are not profiled. The omission rationale needs to include a list of those hazards not identified and an explanation for their omission from the plan. The omission of a hazard must be grounded in lack of risk – it is not a sufficient justification to say the hazard is not a priority, there is existing preparation deemed adequate, or resources don't exist.

You can't omit a hazard if it poses a risk to an asset of the community even if outside of the planning area (ie. reservoir in neighboring town that provides water to the planning area).

Example: The Hazard Mitigation Committee identified hail and invasive species as low probability and low impact, therefore posing a lack of risk to the community to justify mitigation. Accordingly, these hazards will not be discussed in detail in this plan. For a detailed description of these hazards, the reader should review the Vermont State Hazard Mitigation Plan.

B1-b. Does the plan include information on the location of each identified hazard?

Include narrative descriptions or maps to illustrate specific areas and assets that will be affected by a hazard. Assets **outside of the planning area that the community owns** should also be included. There should be sufficient details to clearly identify locations.

Element B Requirements

B1-c. Does the plan describe the extent for each identified hazard?

There is often confusion between extent (strength/magnitude/quantifiable data) and impact (number of structures impacted, cost of disaster). The plan should address past extent history, as well as the most severe event on record. To meet extent for each hazard, include:

- Flooding – # inches rain, river gauge data
- Fluvial Erosion/Landslide - # acres lost, or height and width of landslide
- Extreme Temperature (Cold/Heat) – lowest/highest recorded temperature
- Tornado – Fujita Scale (F0 through F5 and associated wind speeds, include a table with descriptions)
- Hurricane – Saffir-Simpson scale (same as above – Tropical Storm through Category 5, and associated wind speeds)
- Earthquake – Richter scale or Mercalli Intensity Scale (same as above – 1 - 10)
- Hail – size of hail in inches
- Drought – duration of drought (days), amount of rainfall, stream gauge data, snowpack and/or by using the Palmer Drought Severity Index
- Snowstorm and Ice Storm – inches of ice; inches of snow; power outages (#/hrs)
- Wildfire - # of acres lost
- High Winds – wind speed in mph/knots
- *For any identified hazard whose extent data cannot be determined, include a statement addressing why the data is missing/lacking.*

B1-d. Does the plan include the history of previous hazard events for each identified hazard?

Include previous occurrences of each hazard included in the plan. At a minimum include the declared disaster history for each hazard. <https://www.fema.gov/data-visualization/disaster-declarations-states-and-counties>

B1-e. Does the plan include the probability of future events for each identified hazard? Does the plan describe the effects of future conditions, including climate change (e.g., long-term weather patterns, average temperature and sea levels), on the type, location and range of anticipated intensities of identified hazards?

Include probability or likelihood of future events in the planning area for each hazard. Probability can be defined by historical occurrences, statistics, or general descriptors (e.g., unlikely, likely, high likely). If general descriptors are used, they must be quantified or defined in the plan. For example, “highly likely” could be defined as “100% chance of occurrence next year” or “one event every year.”

Probability must consider effects of future conditions, including climate change, and not just previous occurrences.

Element B Requirements

B1-f. For participating jurisdictions in a **multi-jurisdictional** plan, does the plan describe any hazards that are unique to and/or vary from those affecting the overall planning area?

For **multijurisdictional** plans, include unique hazard impacts for each jurisdiction within the planning area. This can be in narrative or table format. If hazards impact the whole planning area the same, then state this.

B2. Does the plan include a summary of the jurisdiction’s vulnerability and the impacts on the community from the identified hazards? Does this summary also address NFIP-insured structures that have been repetitively damaged by floods? (Requirement 44 CFR § 201.6(c)(2)(ii))

B2-a. Does the plan provide an overall summary of each jurisdiction’s vulnerability to the identified hazards?

List or map current and future assets, including people, structures, infrastructure, natural or historic resources, and valued activities. The same list can be used for each hazard, if applicable.

B2-b. For each participating jurisdiction, does the plan describe the potential impacts of each of the identified hazards on each participating jurisdiction?

How are the identified assets susceptible to hazards? What are the potential impacts of hazards on assets?

Impacts must include the effects of climate change, changes in population, land use, and development on each of the assets listed in B2-b.

B2-c. Does the plan address NFIP-insured structures within each jurisdiction that have been repetitively damaged by floods?

Include the number and types (residential, commercial, institutional, municipal etc) of NFIP repetitive loss properties (e.g. four residential structures, one commercial building and the town garage). If there are no repetitive loss properties, note that.

Reach out to the Regional Floodplain Manager or State Hazard Mitigation Planner for this data – it is not publicly available.

Element C: Mitigation Strategy

Element C Requirements

C1. Does the plan document each participant's existing authorities, policies, programs and resources and its ability to expand on and improve these existing policies and programs? (Requirement 44 CFR § 201.6(c)(3))

C1-a. Does the plan describe how the existing capabilities of each participant are available to support the mitigation strategy? Does this include a discussion of the existing building codes and land use and development ordinances or regulations?

Document in a narrative or table the municipality's existing authorities, policies, programs, and resources that relate to implementing hazard mitigation. This must include a discussion of the existing building codes and land use and development ordinances or regulations.

C1-b. Does the plan describe each participant's ability to expand and improve the identified capabilities to achieve mitigation?

Document in a narrative or table how existing authorities, policies, programs, funding, and resources can be improved or expanded upon, and/or how gaps in capabilities to implement hazard mitigation can be filled. If the municipality does not have the authority or ability to expand on and improve the capabilities, then describe the lack of authority or ability.

C2. Does the plan address each jurisdiction's participation in the NFIP and continued compliance with NFIP requirements, as appropriate? (Requirement 44 CFR § 201.6(c)(3)(ii))

C2-a. Does the plan contain a narrative description or a table/list of their participation activities?

Include the following:

1. Identify the local zoning/bylaws that meet minimum NFIP compliance requirements or regulate development in the floodplain.
2. Identify when the most recent Flood Insurance Rate Map (FIRM) was effective. (<https://msc.fema.gov/portal/home> or ask Regional Floodplain Manager)
3. Summarize how local zoning /bylaws are used to regulate land use in the floodplain or Special Flood Hazard Area (SFHA).
4. Identify who (position/title) enforces local NFIP zoning/bylaws. Who reviews building permits?
5. Describe how municipalities in the planning area implement the substantial improvement/substantial damage provisions of their floodplain management regulations after an event. How does the municipality review and regulate rebuilding damaged structures or additions/improvements on existing structures in the floodplain?

Element C Requirements

C3. Does the plan include goals to reduce/avoid long-term vulnerabilities to the identified hazards? (Requirement 44 CFR § 201.6(c)(3)(i))

C3-a. Does the plan include goals to reduce the risk from the hazards identified in the plan?

Include mitigation goals – the results you would like to see once the mitigation actions have been implemented. How you write your goals is completely up to the community. Typically, we will see around five goals.

Note: The hazard mitigation planning goals should inform the planning process and the actions proposed in the action table. Example: If a mitigation goal is to “Protect life and property utilizing natural and nature-based solutions for long-term sustainability” then a project in the action table may be “Stabilize fluvial erosion-prone areas along Main Street utilizing locally-sourced rip rap covered with native riparian vegetation and strategically placed willow bundles.”

Element C Requirements

C4. Does the plan identify and analyze a comprehensive range of specific mitigation actions and projects for each jurisdiction being considered to reduce the effects of hazards, with emphasis on new and existing buildings and infrastructure? (Requirement 44 CFR § 201.6(c)(3)(ii))

C4-a. Does the plan include an analysis of a comprehensive range of actions/projects that each jurisdiction considered to reduce the impacts of hazards identified in the risk assessment?

Document the analysis of a comprehensive range of mitigation actions that address identified vulnerabilities from the risk assessment/hazard profiles.

For example, if the Fire Department is determined to be in the floodplain, include a mitigation action to address this vulnerability, such as: install of flood vents to relieve hydrostatic pressure during flood inundation and mitigation against potential structural damage.

Document actions that the community considered even if determined to not be feasible (e.g. lack of community support for River Corridor bylaws or property buyouts), and this consideration will count towards this requirement.

The mitigation actions need to use “action” verbs like replace, upsize, develop, adopt. Mitigation actions should be new actions that are not already in place, or upcoming phases or improvements of a project or action. Generally, actions that are ongoing should be documented in the current capabilities section.

Actions must be considered across the following categories:

- Structure and Infrastructure Projects (e.g. culvert upsizing, bridge replacement)
- Natural Systems Protection (e.g. streambank restoration)
- Local Plans and Regulations (e.g. adoption of River Corridor bylaws, updating your town plan to better integrate with the Local Hazard Mitigation Plan)
- Education and Awareness Programs (e.g. sending out information flood mitigation opportunities for homeowners with their tax bills, having a discussion at Town Meeting day on town mitigation actions)

Mitigation actions considered should benefit underserved communities and socially vulnerable populations.

Mitigation actions should focus on reducing risk to existing buildings, structures, and infrastructure and preventing development in risk prone areas.

Element C Requirements

C4-b. Does the plan include one or more action(s) per jurisdiction for each of the hazards as identified within the plan’s risk assessment?

Identify at least one mitigation action for each hazard prioritized/profiled in the plan. Mitigation actions must reduce risks associated with vulnerabilities identified in the plan.

Actions should be sustained/long-term solutions. You can include preparedness actions, e.g. sandbagging; however, they will not count towards meeting this requirement. Response, maintenance, and replacement plans lacking improved standards/longevity are also not long-term solutions.

For multijurisdictional plans, there must be a mitigation action for each hazard covered in the plan for each of the participating jurisdictions. Actions may apply to one or more participating jurisdictions if clearly stated.

C5. Does the plan contain an action plan that describes how the actions identified will be prioritized (including a cost-benefit review), implemented, and administered by each jurisdiction? (Requirement 44 CFR § 201.6(c)(3)(iv)); (Requirement §201.6(c)(3)(iii))

C5-a. Does the plan describe the criteria used for prioritizing actions?

Include a description of the criteria used for prioritizing the implementation of the identified mitigation actions and describe how benefit-cost was considered during prioritization. Include prioritization based on cost as well as community benefits.

C5-b. Does the plan provide the position, office, department or agency responsible for implementing/administrating the identified mitigation actions, as well as potential funding sources and expected time frame?

Who (title/position) is responsible implementing the action. If multiple parties are involved, denote which one has primary responsibility.

Timeframes for completion with a start and end date (e.g. Summer 2021 – Fall 2022, or 2021-2022).

Potential funding sources, e.g. FEMA mitigation grants, VTrans grants, Ecosystem Restoration Grant, Town Budget, etc. Must include details beyond generic terms such as “federal,” “state” and/or “local.”

Element D: Plan Maintenance

Element D Requirements

D1. Is there discussion of how each community will continue public participation in the plan maintenance process? (Requirement 44 CFR § 201.6(c)(4)(iii))

D1-a. Does the plan describe how communities will continue to seek future public participation after the plan has been approved?

Provide a narrative description or an itemized list of steps that documents how the public will be encouraged to participate in the plan maintenance process as well as the next plan update and have the opportunity to provide feedback.

Element D Requirements

D2. Is there a description of the method and schedule for keeping the plan current (monitoring, evaluating and updating the mitigation plan within a five-year cycle)? (Requirement 44 CFR § 201.6(c)(4)(i))

D2-a. Does the plan describe the process that will be followed to track the progress/status of the mitigation actions identified within the Mitigation Strategy, along with when this process will occur and who will be responsible for the process?

Describe the process that will be followed to **monitor** the plan over the next five years. Monitoring means tracking the implementation of the plan over time by, for example, tracking the status of the plan's mitigation actions.

Including who (title/position/committee) is responsible for monitoring the plan.

Include when (e.g. annually during the April Selectboard meeting with the Local Emergency Plan is being developed) the plan is being monitored and *how* (using an identified monitoring strategy during meetings of the planning commission).

D2-b. Does the plan describe the process that will be followed to evaluate the plan for effectiveness? This process must identify the criteria that will be used to evaluate the information in the plan, along with when this process will occur and who will be responsible.

Describe the process that will be followed to **evaluate** the plan over the next five years. Evaluating effectiveness means assessing the degree to which the plan is achieving its stated purpose and goals.

Including who (title/position/committee) is responsible for evaluating the plan.

Include when (e.g. annually during the April Selectboard meeting with the Local Emergency Plan is being developed) the plan is being evaluated and *how*.

Communities can monitor and evaluate their plan through one process, with the same responsible party and timeframe, but must clearly document how the process includes both monitoring and evaluating activities.

D2-c. Does the plan describe the process that will be followed to update the plan, along with when this process will occur and who will be responsible for the process?

Describe the process that will be followed to **update** the mitigation plan prior to expiration.

Including who (title/position/committee) is responsible for updating the plan.

Include when the update process will begin (e.g. twelve months before the expiration of this plan) and a general timeline for the update process.

Element D Requirements

D3. Does the plan describe a process by which each community will integrate the requirements of the mitigation plan into other planning mechanisms, such as comprehensive or capital improvement plans, when appropriate? (Requirement 44 CFR § 201.6(c)(4)(ii))

D3-a. Does the plan describe the process the community will follow to integrate the ideas, information and strategy of the mitigation plan into other planning mechanisms?

Explain how the goals, vulnerability information, and mitigation actions in this plan will be incorporated into other plans. E.g. “The town will incorporate the mitigation actions outlined in this plan into the town plan during the next plan update process in 2024. The town plan update will be led by the Planning Commission, who will review this plan and determine those mitigation actions/strategies/goals that should be included in the town plan.” Or “The proposed mitigation actions in this plan will be incorporated into the capital improvement plan during its development on Town Meeting Day.” If a new process has been developed/is being developed for incorporation, please describe the process in the plan.

D3-b. Does the plan identify the planning mechanisms for each plan participant into which the ideas, information and strategy from the mitigation plan may be integrated?

Identify the budgets and plans into which plan information will be incorporated (the example above would satisfy this requirement, as it identifies the town and capital improvement plans). Include applicable plans discussed in the capabilities section (see Requirement C1).

D3-c. For multi-jurisdictional plans, does the plan describe each participant's individual process for integrating information from the mitigation strategy into their identified planning mechanisms?

For multijurisdictional plans, there must be a process for incorporation for each of the participating jurisdictions. A process may be followed by one or more participating jurisdictions if clearly stated.

Element E: Plan Update

Element E Requirements

E1. Was the plan revised to reflect changes in development? (Requirement 44 CFR § 201.6(d)(3))

E1-a. Does the plan describe the changes in development that have occurred in hazard-prone areas that have increased or decreased each community's vulnerability since the previous plan was approved?

Address changes in development that have occurred since the previous plan and how that development has increased, decreased, or had no impact on the community's vulnerability to the identified hazards. Not all development will necessarily impact vulnerability, and if that is the case, that can be stated.

Changes in development include recent development (i.e., # and type of building permits issued since last approval, new businesses opened, or infrastructure changes), potential development (new zoning bylaws/floodplain ordinances, proposed development) and/or conditions such as climate or population change.

Element E Requirements

E2. Was the plan revised to reflect changes in priorities and progress in local mitigation efforts? (Requirement 44 CFR § 201.6(d)(3))

E2-a. Does the plan describe how it was revised due to changes in community priorities?

Address if/how any priorities have changed since the plan was last approved. Has the community experienced new or more intense hazard events that changed priorities? Have there been population/demographic changes that resulted in new service demands? (i.e., Schools, aging population needs, affordable housing). Or have they continued to make progress on mitigation actions and can move to what were originally lower priority items?

An optional sentence would be “The Town has seen the potential impact of infectious diseases and climate change weather extremes in the years leading up to this plan update, and priorities for hazard mitigation planning reflect not only new data, but real life experiences.” Or “The primary change in priorities since the previous plan is the need to be better prepared to withstand and recover from infectious diseases after lessons learned from COVID-19.”

The most important thing is that you state if there was a change in priorities since the last plan update, and what that change was.

E2-b. Does the plan include a status update for all mitigation actions identified in the previous mitigation plan?

Include plan actions from the previous plan and their current status, e.g. completed, not completed, in progress. For those actions that have not been completed, explain whether the action has been included in this updated plan or if/why it is no longer a priority for the town/city.

E2-c. Does the plan describe how jurisdictions integrated the mitigation plan, when appropriate, into other planning mechanisms?

Provide an explanation for how information from the previously approved plan was incorporated into budgets and other plans (e.g., the town plan or capital improvement plan). If the previous plan was not integrated into other planning mechanisms, this must be stated.

Element F: Plan Adoption

Element F Requirements

F1. For single-jurisdictional plans, has the governing body of the jurisdiction formally adopted the plan to be eligible for certain FEMA assistance? (Requirement 44 CFR § 201.6(c)(5))

F1-a. Does the participant include documentation of adoption?

The plan will need to be adopted after the State provides the Approval Pending Adoption. Please provide the unsigned draft adoption certificate with the draft when you submit the plan for review.

Ensure that the title of the plan used throughout the adoption certificate exactly matches the title on the plan’s cover page.

Element F Requirements

F2. For multi-jurisdictional plans, has the governing body of each jurisdiction officially adopted the plan to be eligible for certain FEMA assistance? (Requirement 44 CFR § 201.6(c)(5))

F2-a. Did each participant adopt the plan and provide documentation of that adoption?

The plan will need to be adopted by each participating jurisdiction after the State provides the Approval Pending Adoption. Please provide the unsigned draft adoption certificate(s) with the draft when you submit the plan for review.

Ensure that the title of the plan used throughout the adoption certificate(s) exactly matches the title on the plan's cover page.

Element G: High Hazard Potential Dams (Optional)

A plan only needs to include a section on High Hazard Potential Dams (HHPDs) to meet the following requirements if there is a dam within the planning area or owned by the planning jurisdiction that falls within the definition of a HHPD AND that will require HHPD grant program funding within the plan's five-year cycle. Please reach out to the State Hazard Mitigation Planners or Officer for further guidance on HHPD locations and instruction on meeting requirements.

HHPD Requirements

HHPD1. Did the plan describe the incorporation of existing plans, studies, reports and technical information for HHPDs?

HHPD1-a. Does the plan describe how the local government worked with local dam owners and/or the state dam safety agency?

HHPD1-b. Does the plan incorporate information shared by the state and/or local dam owners?

HHPD2. Did the plan address HHPDs in the risk assessment?

HHPD2-a. Does the plan describe the risks and vulnerabilities to and from HHPDs?

HHPD2-b. Does the plan document the limitations and describe how to address deficiencies?

HHPD3. Did the plan include mitigation goals to reduce long-term vulnerabilities from HHPDs?

HHPD3-a. Does the plan address how to reduce vulnerabilities to and from HHPDs as part of its own goals or with other long-term strategies?

HHPD3-b. Does the plan link proposed actions to reducing long-term vulnerabilities that are consistent with its goals?

HHPD Requirements

HHPD4-a. Did the plan include actions that address HHPDs and prioritize mitigation actions to reduce vulnerabilities from HHPDs?

HHPD4-a. Does the plan describe specific actions to address HHPDs?

HHPD4-b. Does the plan describe the criteria used to prioritize actions related to HHPDs?

HHPD4-c. Does the plan identify the position, office, department or agency responsible for implementing and administering the action to mitigate hazards to or from HHPDs?

Element H: Additional State Requirements (Optional)

Element H Requirements

This space is for the State to include additional requirements

TBD