

Part IX

Plan Maintenance

Plan Maintenance

Monitoring, Evaluating and Updating the Plan

Periodic monitoring and reporting of the Plan is required to ensure that the goals and objectives for the Mountainland Region are kept current and that local mitigation efforts are being carried out. The Plan has therefore been designed to be user-friendly in terms of monitoring implementation and preparing regular progress reports.

Annual Reporting Procedures

The Plan shall be reviewed annually, as required by the Executive Council, or as situations dictate such as following a disaster declaration. Each year the MAG Community Development Department Staff will review the plan and ensure the following:

1. The Executive Director and the Executive Council will receive an annual report and/or presentation on the implementation status of the Plan at the January Executive Council Meeting.
2. The report will include an evaluation of the effectiveness and appropriateness of the mitigation actions proposed in the Plan.
3. The report will recommend, as appropriate, any required changes or amendments to the Plan.

If the MAG Executive Council determines that a modification of the Plan is warranted, the Council may initiate a Plan amendment.

Revisions and Updates

Periodic revisions and updates of the Plan are required to ensure that the goals and objectives for the Mountainland Region are kept current. More importantly, revisions may be necessary to ensure the Plan is in full compliance with Federal regulations and State statutes. This portion of the Plan outlines the procedures for completing such revisions and updates.

Five (5) Year Plan Review

The entire plan including any background studies and analysis should be reviewed every five (5) years to determine if there have been any significant changes in the Mountainland Region that would affect the Plan. Increased development, increased exposure to certain hazards, the development of new mitigation capabilities or techniques and changes to Federal or State legislation are examples of changes that may affect the condition of the Plan.

The Pre-Disaster Hazard Mitigation Plan Ad-Hoc Committee, with a potential membership representing every jurisdiction in the MAG area, will be reconstituted for the five (5) year review/update process. Typically, the same process that was used to create the original plan will be used to prepare the update.

Further, following a disaster declaration, the Plan will need to be revised to reflect on lessons learned or to address specific circumstances arising out of the disaster.

The results of this five (5) year review should become summarized in the annual report prepared for this Plan under the direction of the Community Development Director. The annual report will include an evaluation of the effectiveness and appropriateness of the Plan, and will recommend, as appropriate, any required changes or amendments to the Plan.

If the Executive Council determines that the recommendations warrant modification to the Plan, the Council may either initiate a Plan amendment as described below, or, if conditions justify, may direct the MAG Community Development Department to undertake a complete update of the Plan.

Plan Amendments

An amendment to the Plan should be initiated only by the Executive Council, either at its own initiative or upon the recommendation of the Executive Director, Community Development Director, Mayor of an affected community or the State Department of Emergency Services and Homeland Security.

Upon initiation of an amendment to the Plan, Mountainland will forward information on the proposed amendment to all interested parties including, but not limited to, all affected city or county departments, residents and businesses. Depending on the magnitude of the amendment, the full Ad-Hoc committee may be reconstituted or the MAG Regional Growth Committee may review the amendment. At a minimum, the information will be made available through public notice in a newspaper of general circulation and on the Mountainland Website at www.mountainland.org. Information will also be forwarded to the Utah Department of Public Safety, Division of Emergency Management. This information will be sent out in order to seek input on the proposed Plan amendment for not less than a forty-five (45) day review and comment period.

At the end of the comment period, the proposed amendment and all review comments will be forwarded to the Executive Director (or his/her designee) for consideration. If no comments are received from the reviewing parties within the specified review period, such will be noted accordingly. The Executive Director (or his/her designee) will review the proposed amendment along with comments received from other parties and submit a recommendation to the Executive Council within sixty (60) days.

In determining whether to recommend approval or denial of a Plan amendment request, the following factors will be considered:

There are errors or omissions made in the identification of issues or needs during the preparation of the Plan; and/or

New issues or needs have been identified which were not adequately addressed in the Plan; and/or

There has been a change in information, data or assumptions from those on which the Plan was based.

The nature or magnitude of risks has changed.

There are implementation problems, such as technical, political, legal or coordination issues with other agencies.

Upon receiving the recommendation of the Executive Director or his/her designee, the Executive Council will hold a public hearing. The Executive Council will review the recommendation (including the factors listed above) and any oral or written comments received at the public hearing. Following that review, the Executive Council will take one of the following actions:

1. Adopt the proposed amendment as presented.
2. Adopt the proposed amendment with modifications.
3. Refer the amendment request back to the Executive Director for further consideration.
4. Defer the amendment request for further consideration and/or hearing.
5. Reject the amendment request.

Implementation through Existing Programs

Process

The Mountainland Association of Governments Pre-Disaster Hazard Mitigation Plan will be implemented through the General Plans and Capital Improvement Plans (CIP) of each local jurisdiction. It will be the responsibility of Mayor/Council/Commissioner(s) of each jurisdiction, as he/she/they see fit, to ensure these actions are carried out no later than the target dates unless reasonable circumstances prevent their implementation (i.e. lack of funding availability).

Prioritization

Each city or county within the jurisdiction of Mountainland Association of Governments were invited to attend an Plan orientation and strategy meeting geared toward the recognition and analysis of local and regional hazards and the development of strategies to mitigate threats. Each received a packet including: an analysis of hazards threatening their area, historical hazards, critical facilities, and other regional information. Each participating municipality identified “problem areas” and needed projects based on hazard likelihood, cost/benefit, available resources, and other factors; and independently, or in conjunction with Mountainland, directed mitigation strategies to improve those areas.

Administrative

Project administration is purely a function of project size and complexity, for given jurisdictions within the planning area. Jurisdictions have self-funded or received state and federal funding for numerous projects in the past. The larger the project the more administration resources are needed. Local jurisdictions with current staff could administer small projects or request county or state assistance. Larger projects would most likely still be managed “in-house” but would require additional staff be hired and may request state technical assistance.

Funding Sources

Although all mitigation techniques will likely save money by avoiding losses, many projects are costly to implement. The Mountainland jurisdictions will continue to seek outside funding assistance for mitigation projects in both the pre- and post-disaster environment. This portion of the Plan identifies the primary Federal and State grant programs for Mountainland jurisdictions to consider, and also briefly discusses local and non-governmental funding sources.

Federal

The following federal grant programs have been identified as funding sources which specifically target hazard mitigation projects:

Title: Pre-Disaster Mitigation Program

Agency: Federal Emergency Management Agency

Through the Disaster Mitigation Act of 2000, Congress approved the creation of a national program to provide a funding mechanism that is not dependent on a Presidential Disaster Declaration. The Pre-Disaster Mitigation (PDM) program provides funding to states and communities for cost-effective hazard mitigation activities that complement a comprehensive mitigation program and reduce injuries, loss of life, and damage and destruction of property.

The funding is based upon a 75% Federal share and 25% non-Federal share. The non-Federal match can be fully in-kind or cash, or a combination. Special accommodations will be made for “small and impoverished communities”, who will be eligible for 90% Federal share/10% non-Federal.

FEMA provides PDM grants to states that, in turn, can provide sub-grants to local governments for accomplishing the following eligible mitigation activities:

- State and local hazard mitigation planning
- Technical assistance (e.g. risk assessments, project development)
- Mitigation Projects
- Acquisition or relocation of vulnerable properties
- Hazard retrofits
- Minor structural hazard control or protection projects
- Community outreach and education (up to 10% of State allocation)

Title: Flood Mitigation Assistance Program

Agency: Federal Emergency Management Agency

FEMA’s Flood Mitigation Assistance program (FMA) provides funding to assist states and communities in implementing measures 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). FMA was created as part of the National Flood Insurance Reform Act of 1994 (42 USC 4101) with the goal of reducing or eliminating claims under the NFIP.

FMA is a pre-disaster grant program, and is available to states on an annual basis. This funding is available for mitigation planning and implementation of mitigation measures only, and is based upon a 75% Federal share/25% non-Federal share. States administer the FMA program and are responsible for selecting projects for funding from the applications submitted by all communities within the state. The state then forwards selected applications to FEMA for an eligibility determination. Although individuals cannot apply directly for FMA funds, their local government may submit an application on their behalf.

Title: Hazard Mitigation Grant Program

Agency: Federal Emergency Management Agency

The Hazard Mitigation Grant Program (HMGP) was created in November 1988 through Section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act. The HMGP assists states and local communities in implementing long-term mitigation measures following a Presidential disaster declaration.

To meet these objectives, FEMA can fund up to 75% of the eligible costs of each project. The state or local cost-share match does not need to be cash; in-kind services or materials may also be used. With the passage of the Hazard Mitigation and Relocation Assistance Act of 1993, federal funding under the HMGP is now based on 15% of the federal funds spent on the Public and Individual Assistance programs (minus administrative expenses) for each disaster.

The HMGP can be used to fund projects to protect either public or private property, so long as the projects in question fit within the state and local governments overall mitigation strategy for the disaster area, and comply with program guidelines. Examples of projects that may be funded include the acquisition or relocation of structures from hazard-prone areas, the retrofitting of existing structures to protect them from future damages; and the development of state or local standards designed to protect buildings from future damages.

Eligibility for funding under the HMGP is limited to state and local governments, certain private nonprofit organizations or institutions that serve a public function, Indian tribes and authorized tribal organizations. These organizations must apply for HMPG project funding on behalf of their citizens. In

turn, applicants must work through their state, since the state is responsible for setting priorities for funding and administering the program.

Title: Public Assistance (Infrastructure) Program, Section 406

Agency: Federal Emergency Management Agency

FEMA's Public Assistance Program, through Section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, provides funding to local governments following a Presidential Disaster Declaration for mitigation measures in conjunction with the repair of damaged public facilities and infrastructure. The mitigation measures must be related to eligible disaster related damages and must directly reduce the potential for future, similar disaster damages to the eligible facility. These opportunities usually present themselves during the repair/replacement efforts.

Proposed projects must be approved by FEMA prior to funding. They will be evaluated for cost effectiveness, technical feasibility and compliance with statutory, regulatory and executive order requirements. In addition, the evaluation must ensure that the mitigation measures do not negatively impact a facility's operation or risk from another hazard.

Public facilities are operated by state and local governments, Indian tribes or authorized tribal organizations and include:

- Roads, bridges & culverts
- Draining & irrigation channels
- Schools, city halls & other buildings
- Water, power & sanitary systems
- Airports & parks

Private nonprofit organizations are groups that own or operate facilities that provide services otherwise performed by a government agency and include, but are not limited to the following:

- Universities and other schools
- Hospitals & clinics
- Volunteer fire & ambulance
- Power cooperatives & other utilities
- Custodial care & retirement facilities

- Museums & community centers

Title: SBA Disaster Assistance Program

Agency: US Small Business Administration

The SBA Disaster Assistance Program provides low-interest loans to businesses following a Presidential disaster declaration. The loans target businesses to repair or replace uninsured disaster damages to property owned by the business, including real estate, machinery and equipment, inventory and supplies. Businesses of any size are eligible, along with non-profit organizations.

SBA loans can be utilized by their recipients to incorporate mitigation techniques into the repair and restoration of their business.

Title: Community Development Block Grants

Agency: US Department of Housing and Urban Development

The community Development Block Grant (CDBG) program provides grants to local governments for community and economic development projects that primarily benefit low- and moderate-income people. The CDBG program also provides grants for post-disaster hazard mitigation and recovery following a Presidential disaster declaration. Funds can be used for activities such as acquisition, rehabilitation or reconstruction of damaged properties and facilities and for the redevelopment of disaster areas.

STATE PROGRAMS

See the Capabilities Assessment Annex of this document for a full description of the State Programs available.

LOCAL

Local governments depend upon local property taxes as their primary source of revenue. These taxes are typically used to finance services that must be available and delivered on a routine and regular basis to the general public. If local budgets allow, these funds are used to match Federal or State grant programs when required for large-scale projects.

NON-GOVERNMENTAL

Another potential source of revenue for implementing local mitigation projects are monetary contributions from non-governmental organizations, such as private sector companies, churches, charities, community relief funds, the Red Cross, hospitals, Land Trusts and other non-profit organizations.

Paramount to having a plan deemed to be valid is its implementation. There is currently no new fiscal note attached to the implementation of this Plan.

Continued Public Involvement

Throughout the planning process, public involvement has been and will be critical to the development of the Plan and its updates. On a yearly basis the plan will be profiled at Mountainland's Annual Open Houses, which are held in the fall of every year. There are typically 400 to 500 local citizens who attend the Open Houses. The plan will also be available on the MAG website to provide additional opportunities for public participation and comment.

Mountainland Association of Governments staff has been designated by its Executive Council as the lead agency in preparing and submitting the Mountainland Pre-Disaster Hazard Mitigation Plan, which includes coverage for all incorporated cities and counties within the three county region, i.e. Summit, Utah and Wasatch Counties. The strategy of the Association of Governments in preparing the plan is to use available resources and manpower in the most efficient and cost effective manner to allow our cities and counties continued access to data, technical planning assistance and FEMA eligibility. In addition, the AOG will reach out to non-profits, public agencies, special needs organizations, groups and individuals in allowing them input and access to the plan. With limited resources, however, it becomes difficult to both identify and to individually contact the broad range of potential clients that may stand to benefit from the plan. This being the case, we have established the following course of action:

STEP 1. The AOG will publicly advertise all hearings, requests for input and meetings directly related to the Pre-Disaster Hazard Mitigation Plan process. Executive Council meetings where plan items are discussed and where actions are taken will not receive special notifications as they are already advertised according to set standards. All interested parties are welcome and invited to attend such meetings and hearings as they are public and open to all. Advertisement will be done according to the pattern set in previous years, i.e. the AOG will advertise each hearing and request for input at least seven days (7) in advance of the activity and will publish notices of the event in the Provo Herald, the Wasatch Wave and the Summit County Bee. The notices will advertise both the hearing and the means of providing input outside the hearing if an interested person is unable to attend.

STEP 2. The AOG has established a mailing list of many local agencies and individuals that may have an interest in the Pre-Disaster Hazard Mitigation Plan. Each identified agency or person will be mailed a notice of the hearings and open houses.

STEP 3. Comments, both oral and written, will be solicited and accepted from any interested party. Comments, as far as possible, will be included in the final draft of the Hazard Mitigation Plan; however, the AOG reserves the right to limit comments that are excessively long due to the size of the Plan.

STEP 4. Specific to risk assessment and hazard mitigation, needs analysis, and capital investment strategies, the AOG will make initial contact and solicitation for input from each incorporated jurisdiction within the region. All input is voluntary. Staff time and resources do not allow personal contact with other agencies or groups, however, comments and strategies are welcomed as input to the planning process from any party via regular mail, FAX, e-mail, phone call, etc. In addition, every public jurisdiction advertises and conducts public hearings on their planning, budget, etc. where most of these mitigation projects are initiated. Input can be received from these prime sources by the region as well.

STEP 5. The final draft of the Hazard Mitigation Plan will be presented to the Mountainland Executive Council at its regularly scheduled monthly meeting for adoption and approval. Executive Council policies on adoption or approval of items will be in force and adhered to. This document is intended to be flexible and in constant change so comments can be taken at any time of the year for consideration and inclusion in the next update. Additionally, after FEMA approval of the Plan, the Plan will be promulgated for each local jurisdiction for adoption by resolution.

STEP 6. The following policies will guide AOG staff in making access and input to the Hazard Mitigation Plan as open and convenient as possible:

A. Participation: All citizens of the region are encouraged to participate in the planning process, especially those who may reside within identified hazard areas. The AOG will take whatever actions possible to accommodate special needs of individuals including the impaired, non-English speaking, persons of limited mobility, etc.

B. Access to Meetings: Adequate and timely notification to all area residents will be given as outlined above to all hearings, forums, and meetings.

C. Access to Information: Citizens, public jurisdictions, agencies and other interested parties will have the opportunity to receive information and submit comments on any aspect of the Hazard Mitigation Plan, and/or any other documents prepared for distribution by the Association of Governments that may be adopted as part of the plan by reference. The AOG may charge a nominal fee for printing of documents that are longer than three pages.

D. Technical Assistance: Residents as well as local jurisdictions may request assistance in accessing the program and interpretation of mitigation projects. AOG staff will assist to the extent practical, however, limited staff time and resources may prohibit staff from giving all the assistance requested. The AOG will be the sole determiner of the amount of assistance given all requests.

E. Public Hearings: The AOG will plan and hold public hearings according to the following priorities: 1- Hearings will be conveniently timed for people who might benefit most from Mitigation programs, 2- Hearings will be accessible to people with disabilities (accommodations must be requested in advance according to previously established policy), and 3- Hearings will be adequately publicized. Hearings may be held for a number of purposes or functions including to: a-identify and profile hazards, b-develop mitigation strategies, and c-review plan goals, performance, and future plans.

F. Comment Period: The AOG will sponsor a 30-day public comment period prior to final plan adoption. The comment period will begin with a public hearing to open the 30-day solicitation of input. Comments may be made orally, or in writing, and as far as possible, will be included in the final Pre-Disaster Hazard Mitigation Plan according to the outlined participation rules.