2022 New York State Hazard Mitigation Planning Standards

(Supersedes the 2017 NYS Hazard Mitigation Planning Standards)

Congratulations on taking the first steps to update a multi-hazard mitigation plan for your community!

The goal of both the New York State Division of Homeland Security and Emergency Services (NYS DHSES) and FEMA is that all jurisdictions develop robust mitigation plans and tangible mitigation actions that will contribute to long-term risk reduction.

The 2022 NYS Hazard Mitigation Planning Standards reduce the 2017 Hazard Mitigation Planning Standards. Any plan currently in development, regardless of date funded, will be held *only* to these reduced standards.

PLEASE NOTE:

On April 19, 2023, FEMA's new Local Mitigation Planning Policy will take effect. Plans approved on or after this date **must meet requirements** as outlined in the linked Policy Guide.

https://www.fema.gov/sites/default/files/documents/fema_local-mitigation-planning-policy-guide_042022.pdf

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The additional state requirements detailed below are intended to improve the quality of hazard mitigation plans and encourage the development of the most appropriate and effective mitigation projects for your community. It is recognized that many jurisdictions have inherent constraints and certain information may be difficult to provide. NYS DHSES and FEMA will work with you throughout the entire planning process to ensure the successful development of your community's hazard mitigation plan.

There are a multitude of resources that exist to provide guidance and support throughout the planning process, developed by Federal and State agencies, as well as private and research-based groups. We urge you to contact us so that we may direct you to additional resources and provide you with the most comprehensive technical assistance possible.

For questions and comments, please call our offices at 518-292-2304.

Additional contact information will be provided to sub-recipients for more direct assistance.

Please note:

Jurisdiction is used to describe all government entities within the boundaries set forth in the Multi-Jurisdictional Plan (typically County-wide), including the County itself, as well as cities, towns, villages and potentially tribes that choose to join a multi-jurisdictional plan.

Special Flood Hazard Area (SFHA) is defined as the area that will be inundated by the flood event having a 1-percent change of being equaled or exceeded in a given year (previously known as the 100-year flood event).

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1. Assess Critical Facilities

Critical facilities must remain accessible and functional before, during and after disasters to meet the jurisdictions Continuity of Government (COG) and Continuity of Operations (COOP) standards, and to support important emergency, government and sheltering functions.

Jurisdictions must identify all critical facilities, assess their vulnerabilities, and evaluate and ensure they are protected to a 0.02% chance (500-year) flood event. Critical facilities that are located in an SFHA and/or have been previously flooded, must be protected against a repeat of that flood or to the 0.02% chance flood event, which ever provides the greater protection.

- The plan must document the name of facility, type of facility, jurisdictional location, and exposure to a 1% (100-year) and 0.02% chance event.
- The plan must document those critical facilities are protected to a 0.02% flood event, or previous worst case flood event. For those that do not meet this level of protection, the plan must include an action to meet or go beyond this criterion or explain why it is not feasible to do so. Going beyond this criterion is optional but may be wise to protect against a future worst case due to climate change.

2. Include Jurisdictional Annexes

Jurisdictional annexes provide a unique, stand-alone guide to mitigation planning for each jurisdiction.

The plan must be organized so that there is an annex for every jurisdiction within the county's borders, including the County.

- The plan must include a table in the Introduction section clearly identifying all jurisdictions and which are seeking FEMA approval.
- The annex for each jurisdiction seeking FEMA approval must include the following:
  - Contact Information;
  - Jurisdiction Profile;
  - Hazard Identification (specific to the jurisdiction);
  - Hazard Event History;
  - National Flood Insurance Program (NFIP) Summary (to meet Federal Standards);
  - Critical Facilities Information (to meet F1);
  - Jurisdiction/public identified vulnerabilities;
  - Additional public involvement;
  - Capabilities Assessment;
  - Mitigation Strategy:
    - All identified previous mitigation activities with current status;
    - All proposed mitigation activities (both new and carried forward, to meet F3)
  - The annex for each non-participating jurisdiction (those not seeking FEMA approval at this time), must include a cover sheet and should include as much information as is available.

3. Develop Mitigation Actions

Projects that are well developed and documented in one place are more quickly identifiable for selection when grants become available, making implementation that much more likely.

Within each jurisdictional annex, jurisdictions must develop a minimum of two (2) new or carryover (not started) proposed mitigation actions that include all information requested in the NYS DHSES LHMP Proposed Action spreadsheet. For jurisdictions containing an SFHA, one (1) of these actions must be for a project that addresses flooding.

4. Post Draft Plan Online

Allowing the public to comment on the draft plan increases awareness about how mitigation saves lives and reduces risk and allows a final opportunity for public input.

The public must have an opportunity to view and comment on the draft plan prior to submittal.

- The draft plan must be posted in full (except for discretionary sensitive information) on an existing county/jurisdiction website, or one created for the purpose of soliciting comments, for 30 days or the time prescribed by local law, whichever is greater, and the plan must describe efforts made to solicit public comments from potentially underserved areas where residents may not have access to a computer to view the website. The website must clearly identify how the public can comment on the plan, to include either specific contact information to send comments or a user-friendly form or survey.

After NYS DHSES and FEMA Approval

- Once designated Approvable Pending Adoption (APA) or Approved by FEMA, the final plan must be placed on the same website (cited above) in its entirety (except for discretionary sensitive information).
- Final payment will occur only after 50% of the participating jurisdictions have adopted the plan and provided adoption resolutions to NYS DHSES. For county-led hazard mitigation planning efforts, the county must be one of the adopting jurisdictions.

The chart below shows the requirements as they appear on the plan review tool used by NYS DHSES and FEMA Region II to determine whether a submitted plan meets federal and state requirements.

1. REGULATION CHECKLIST **Regulation** (44 CFR 201.6 Local Mitigation Plans)	**Location in Plan** (section and/or page number)	**Met**	**Not Met**
ELEMENT F. ADDITIONAL STATE REQUIREMENTS – NYS HAZARD MITIGATION PLANNING STANDARDS **These are required actions for plans developed with NYS DHSES-administered funds.**			
H1. Do jurisdictions identify critical facilities, assess vulnerabilities, and ensure protection to a 0.02% flood event or worst-case scenario?			
H2. Does the plan include an annex for every jurisdiction within the County's boundaries?			
H3. Within each jurisdictional annex, are projects developed in accordance with the NYS DHSES Proposed Projects Table?			
H4. Was the draft plan posted for public comment?			
Note: The applicant is required to address the 2022 NYS Hazard Mitigation Planning Standards as required actions for a hazard mitigation plan developed with funds administered by NYS DHSES. **ELEMENT H: REQUIRED REVISIONS** ***Please see opportunities for improvement***			