

## High Hazard Potential Dam Grants (HHPD) An Example to Clarify Mitigation Plan Requirements

*Local jurisdiction #1 does not have any high hazard dams within its boundaries, however it does own a high hazard dam (call it the Yellowstone Dam) in a neighboring jurisdiction (jurisdiction #2).*

Multiple FEMA grants might be used to lower risk. HHPD grants could be used to rehab or remove the dam. HMGP, BRIC, FMA grants might be used to lower the risk in the inundation area of a dam.

### For HHPD Grants

The Yellowstone Dam must meet the FEMA' Notice of Funding Opportunity (NOFO) requirements **and** FEMA's Mitigation Planning requirements.

- **NOFO Requirements:** These requirements can change with each grant cycle and should always be reviewed before applying, but in the past the NOFOs have specified the dam must be 1) a state regulated dam; 2) a high hazard penitential dam-Class C; and 3) a dam that is rated by the state as unsafe or unsound.
  
- **Mitigation Plan Requirements**
  - Jurisdiction #2 (where the dam is located) must have an approved hazard mitigation plan that addresses all dam risks to/from **each** Class C dam located in their jurisdiction. Think of the dam as a critical facility that can be threatened by a natural hazard and if it partially or fully fails, this failure threatens people and assets in the dam's inundation area (presumably the residents of Jurisdiction #2) and/or the loss of the dam's pooled reservoir could be impactful if the reservoir is a source for drinking water or it has value as a source of recreation.
    - Mitigation assets in the inundation area would not be eligible for HHPD funds, but other FEMA hazard mitigation grant funds (HMGP, BRIC, FMA) are available for this purpose.
  
  - Jurisdiction #1 (the dam owner) is only subject to the traditional Stafford Act plan requirements specified in 44 CFR 201.6 and as described in FEMA's updated *Local Mitigation Planning Policy Guide*. Jurisdiction #1 is not required to address all dam risk in its hazard mitigation plan. However, the Guide clarifies (Element B1-a) that when a community considering its risks, this includes not only the risk to people and assets in the planning area (in jurisdiction #1), it must also consider any assets located outside the planning area, such as dams it might own.
    - Jurisdictions #1 should discuss with Jurisdiction #2 the risks to/from the Yellowstone Dam. The discussion of this risk should be included in both jurisdiction's hazard mitigation plan. Furthermore, if Jurisdiction #1 intends to apply for a HHPD grant:
      - Jurisdiction #1 must include the dam rehabilitation action that would be taken in its hazard mitigation plan.
      - Jurisdiction #1 would be wise to ensure Jurisdiction #2 will include all dam risks its hazard mitigation plan.

### Note:

1. The above example applies whether the jurisdiction each have a standalone single jurisdictional plan or a both part of a multi-jurisdictional plan, where each as its own annex.
  
2. Although not a requirement, Jurisdiction #2's hazard mitigation plan should include the action that will be taken to rehabilitate the Yellowstone dam and in doing so, make it clear that the actions will be taken by the dam owner, Jurisdiction #1.