



## Section 4 Approval and Adoption

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#### 4.1 IFR Requirement for Approval and Adoption

***IFR §201.6(c)(5):*** [The local hazard mitigation plan shall include] documentation that the plan has been formally adopted by the governing body of the jurisdiction requesting approval of the plan (e.g., City Council, County Commissioner, Tribal Council).

#### 4.2 Authority

Authority for the preparation of both the original Hazard Mitigation Plan (HMP) and Update is derived from the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, P.L. 93-288, as amended by the Disaster Mitigation Act of 2000, P.L. 106-390. The Disaster Mitigation Act of 2000 (The Act) requires state and local governments to develop and formally adopt natural Hazard Mitigation Plans by November 2003 in order to be eligible to apply for Federal assistance under the HMGP. The Act was further amended to extend the planning requirement deadline to November 2004.

When the DMA 2000 was signed into law on October 30, 2000, the Robert T. Stafford Disaster Relief and Emergency Assistance Act was amended by adding a new section, 322 – Mitigation Planning. Section 322 places new emphasis on local mitigation planning. It requires local governments to develop and submit mitigation plans as a condition of receiving Hazard Mitigation Grant Program (HMGP) project grants. An Interim Final Rule (IFR) for implementing Section 322 was published in the Federal Register, 44 CFR Parts 201 and 206, on February 26, 2002. The requirements for local plans, or Local Mitigation Plan Criteria, are found in part 201.6.

In addition to the Plan requirement, the Act also requires communities to utilize a specific planning process developed for an all hazards approach to mitigation planning. This four step planning process is crucial to ensure that the effective planning by a community meets all the Plan content criteria required by the Act. The Act requires adoption by the local governing body and specifies a stringent review process, by which states and FEMA Regional Offices will review, evaluate and approve hazard mitigation plans.



### 4.3 Approval and Adoption Process

Anne Arundel County submitted its original hazard mitigation plan to the Maryland Emergency Management Agency (MEMA) for review in late 2004. After FEMA and MEMA reviewed and approved the HMP, the Anne Arundel County Council formally adopted the Plan. Also, the incorporated Town of Highland Beach approved the document. Section 5 provides details about public presentations for both the original Plan and Update.

Throughout the 2009 HMP Update process, the Mitigation Planning Committee and Stakeholders Group had opportunities to provide comments and feedback. On May 18, 2010 the Anne Arundel County submitted the initial draft of the Plan Update to MEMA for review and comment.

After addressing MEMA comments in the document, the HMP was resubmitted for final consideration and approval by MEMA and FEMA. FEMA provided a letter of approvability on [insert date] and the Plan was forwarded to the Anne Arundel County Council for adoption, which occurred on [insert date]. The adoption resolution is provided as Appendix C in the 2010 HMP update. Following adoption, the plan was resubmitted to FEMA for final approval, which occurred on [insert date]. The FEMA approval letter is included as Appendix D.

### 4.4 Adoption Resolution

The County Council adopted the original HMP on [insert date]. Anne Arundel County formally adopted the updated version of the HMP on [insert date]. The resolution can be found in Appendix C. Highland Beach approved the plan on [insert date]. The resolution can be found in Appendix C.