

44 CFR 201

Title 44: Emergency Management and Assistance

## PART 201—MITIGATION PLANNING

The purpose of this part is to provide information on the policies and procedures for mitigation planning as required by the provisions of section 322 of the Stafford Act, 42 U.S.C. 5165.

*The Stafford Act* refers to the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93–288, as amended (42 U.S.C. 5121–5206).

201.4 (b) *Planning process.* An effective planning process is essential in developing and maintaining a good plan. The mitigation planning process should include coordination with other State agencies, appropriate Federal agencies, interested groups, and be integrated to the extent possible with other ongoing State planning efforts as well as other FEMA mitigation programs and initiatives.

201.6(b) *Planning process.* An open public involvement process is essential to the development of an effective plan. In order to develop a more comprehensive approach to reducing the effects of natural disasters, the planning process shall include:

- (1) An opportunity for the public to comment on the plan during the drafting stage and prior to plan approval;
- (2) 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; and
- (3) Review and incorporation, if appropriate, of existing plans, studies, reports, and technical information.

FEDERAL GUIDELINES FOR DAM SAFETY: EMERGENCY ACTION PLANNING FOR DAM OWNERS, prepared by the INTERAGENCY COMMITTEE ON DAM SAFETY, U. S. DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY OCTOBER 1998, **Reprinted April 2004**  
<http://www.fema.gov/library/viewRecord.do?id=1672>

The Guidelines emphasize coordination with local officials in development and distribution of the EAP. A “primary objective” of emergency planning is to “Gain public recognition of the EAP.” *Id.* at 10.

5

### **D. Coordination**

It is vital that development of the EAP be coordinated with all entities, jurisdictions, and agencies that would be affected by a dam failure and/or flooding as a result of large operational releases, or that have statutory responsibilities for warning, evacuation, and post-flood actions. The finished product should be user friendly as it realistically takes into account each organization's capabilities and responsibilities.

6

Coordination with state and local emergency management officials at appropriate levels of management responsible for warning and evacuation of the public is essential to ensure that there is agreement on their individual and group responsibilities.

### **E. Evacuation**

Evacuation planning and implementation are the responsibility of the state and local officials who are responsible for the safety of the public who live in areas that would be inundated by failure of a dam or flood releases. The dam owner should not usurp the responsibility of the local authorities responsible for evacuation.

10-

The primary objectives of a comprehensive exercise are to:

(1) Reveal the strengths and weaknesses of the EAP, including specified internal actions, external notification procedures, and adequacy of other information, such as inundation maps.

(2) Reveal deficiencies in resources and information available to the dam owner and the state and local agencies.

(3) Improve coordination efforts between the dam owner and the state and local agencies. Close coordination and cooperation among all responsible parties is vital for a successful response to an actual emergency.

(4) Clarify the roles and responsibilities of the dam owner and the state and local emergency management officials.

(5) Improve individual performance of the people who respond to the dam failure or other emergency conditions.

(6) Gain public recognition of the EAP.

11-

Once the plan has been revised, the updated version--or simply the affected pages--should be distributed to all involved parties. The distribution of copies of the EAP and the notification

flowchart (if issued separately) must be controlled and documented to ensure simultaneous updating of **all** copies. Updates should be made promptly. In addition, it is recommended that the entire EAP be reprinted and distributed to all parties at least every 5 years.

### **28-VII. Inundation Maps**

Inundation maps are necessary and should be developed by the dam owner in coordination with the appropriate state and local emergency management agencies. Because those agencies will rely heavily on the maps during an emergency, it is important that the maps contain information required by those agencies.

**334. Posting of the Notification Flowchart.** An up-to-date copy of the notification flowchart should be posted in prominent locations at the dam site and local emergency operations center (essential for unattended dams), as appropriate.

The flowchart should be posted at each phone and radio transmitter at the dam, powerhouse (if applicable), and at all other desirable locations. The locations of the posted flowcharts should be indicated in the EAP.

A copy of the complete, up-to-date EAP should also be available to personnel at the dam and to local officials. The location of each copy should be stated in this section of the EAP. Consideration should also be given to having a copy of the EAP at the residences of key personnel.