

# Frequently Asked Questions (FAQ): Special Districts Participating in Mitigation Planning

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## Question: Can special districts participate in mitigation planning?

Yes, special districts are considered local governments and are required to have an approved plan to be eligible for certain Hazard Mitigation Assistance and High Hazard Potential Dam Grant Program funding. There are several options for special districts to participate in mitigation planning:

1. Participate in a local multi-jurisdictional mitigation plan and meet the requirements in accordance with [44 C.F.R. Part 201](#).
2. Develop its own single jurisdictional mitigation plan and meet the requirements in accordance with 44 C.F.R. Part 201.
3. Join an already approved multi-jurisdictional plan. See Appendix D of the [Local Mitigation Planning Policy Guide \(fema.gov\)](#) for more details.

Local governments should reference the Local Mitigation Planning Policy Guide. Note, the guide uses the terms “jurisdiction,” “community” and “participant” interchangeably. These terms refer to any local government developing or updating a local mitigation plan.

## Question: Why are special districts considered local governments?

44 CFR Part 201 defines local governments as any county, municipality, city, town, township, public authority, school district, special district, intrastate district, council of governments (regardless of whether the council of governments is incorporated as a nonprofit corporation under State law), regional or interstate government entity, or agency or instrumentality of a local government; any Indian tribe or authorized tribal organization, or Alaska Native village or organization; and any rural community, unincorporated town or village, or other public entity.

## Question: What does it mean to participate as a local government seeking plan approval in a local mitigation plan?

Local governments, including special districts, seeking plan approval are responsible for participating in the planning process and meeting all requirements in the Local Mitigation Planning Policy Guide. This includes carrying out public outreach, assessing risks, developing a mitigation strategy, and adopting the plan in accordance with local laws. Furthermore, the plan must clearly identify the participating local governments in the current plan that will seek approval.



# FEMA

### **Question: Can special districts participate in local mitigation plans as stakeholders?**

Yes, special districts can participate as stakeholders in a local mitigation plan and provide information or input to inform the plan's content. However, stakeholders are not seen as participants seeking plan approval and will not be eligible for mitigation project grants. Local governments, including special districts, seeking plan approval are responsible for participating in the planning process and meeting all requirements in the Local Mitigation Planning Policy Guide.

### **Question: Are special districts seeking plan approval in a local mitigation plan required to describe their vulnerability and impacts from identified hazards?**

Yes. The plan must describe the vulnerability of each participating local government, including special districts, to the identified hazard(s) if they are seeking plan approval. For more information on what must be included in this description reference the requirements in the [Local Mitigation Planning Policy Guide](#).

### **Question: Are special districts seeking plan approval in a local mitigation plan required to address repetitively flooded NFIP-insured structures by including the estimated numbers and types (residential, commercial, institutional, etc.) of repetitive/severe repetitive loss properties?**

Yes. However, if the special district does not have authority to adopt and enforce flood plain management regulations for the area within its jurisdiction and cannot participate in the NFIP, FEMA will not have any Repetitive Loss or Severe Repetitive Loss data available for the special district to be included in the local mitigation plan. The special district may need to coordinate with other local governments within its boundaries or service area to meet this requirement.

### **Question: Are special districts seeking plan approval in a local mitigation plan required to identify mitigation actions?**

Yes, each local government seeking plan approval, including special districts, must identify one or more mitigation actions to be implemented for each hazard addressed in the risk assessment.

### **Question: Can a special district join or be added to a local mitigation plan that has already been approved?**

Yes. There are several options for adding a local government(s), including special districts, to an approved multi-jurisdiction plan. These options are further described in [Appendix D of the Local Mitigation Planning Policy Guide](#) and include options for the following situations:

1. Option 1 – Participating jurisdiction that did not adopt the plan within one year of the Approved Pending Adoption (APA) date.
2. Option 2 – Adding a jurisdiction that did not participate in the original planning process.
3. Option 3 – Revise and Update Full Plan.