

Frequently Asked Questions (FAQ): Rehabilitation of High Hazard Potential Dams Mitigation Plan Requirement

An approved hazard mitigation plan that includes all dam risk is required to be eligible for the Rehabilitation of High Hazard Potential Dams (HHPD) grant program. Below are the most frequently asked questions (FAQs) about this requirement and related dam information questions.

Mitigation Plan Requirement

1. Who is an eligible applicant?

States, the District of Columbia and U.S territories with a state dam safety program authorized by state legislation are the only entities eligible to submit applications directly to FEMA. For more information please reference the appropriate Notice of Funding Opportunity or visit [Rehabilitation Of High Hazard Potential Dam \(HHPD\) Grant Program | FEMA.gov](#).

2. Who is an eligible subapplicant?

Eligible subrecipients are non-federal governmental organizations (other than the designated applicant) and nonprofit organizations. Eligible subrecipients apply for and receive subawards directly from the applicant. For more information please reference the appropriate Notice of Funding Opportunity or visit [Rehabilitation Of High Hazard Potential Dam \(HHPD\) Grant Program | FEMA.gov](#). Tribes may be eligible subrecipients if they don't qualify for rehabilitation funding under the Dam Safety Maintenance and Repair Program. This program established by the Indian Dam Safety Act of 1994 and administered by the Bureau of Indian Affairs funds maintenance, monitoring, and rehabilitation of dams located on tribal lands.

3. What does it mean to include all dam risk in an approved mitigation plan?

For state mitigation plans, including all dam risk means the plan meets the requirements listed in Section 3.8 of the [State Mitigation Planning Policy Guide](#). For local mitigation plans, including all dam risk means the plan meets the requirements listed in Section 4.7 of the [Local Mitigation Planning Policy Guide](#). For tribal mitigation plans, including all dam risk means the plan meets the requirements listed in the applicable Notice of Funding Opportunity (NOFO).

4. When must the applicant have in place an approved mitigation plan that includes all dam risk?

The applicant must have in place by the application deadline and at the time of obligation of grant funds, an approved state hazard mitigation plan that complies with the Disaster Mitigation Act of 2000, which amended the



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Robert T. Stafford Act and 44 Code of Federal Regulations Part 201 Mitigation Planning, and is complies with, including addressing all dam risks as defined in applicable mitigation planning policy.

5. What is the mitigation planning requirement for state-owned high hazard potential dams?

If the state owns the dam, the approved state mitigation plan needs to include all dam risks as defined in the [State Mitigation Planning Policy Guide](#).

6. If a state applies to do some risk analysis or scoping work on local dams, but there is no subrecipient, is there a requirement for the tribal or local government with jurisdiction over the area in which the dam is located to have an approved mitigation plan that includes all dam risk?

For projects such as risk analysis or scoping where there is no subrecipient, there are no sub applicant eligibility requirements to be met. (i.e. no funds will be passed-through and there is no local or tribal mitigation plan requirement)

7. Does the subapplicant need to have in place an approved mitigation plan that includes all dam risk?

Subrecipients must demonstrate that the tribal or local government with jurisdiction over the area in which the dam is located has in place an approved and adopted hazard mitigation plan that includes all dam risks and complies with the Disaster Mitigation Act of 2000, which amended the Robert T. Stafford Act and 44 Code of Federal Regulations Part 201 Mitigation Planning, and is complies with, including addressing all dam risks as defined in applicable mitigation planning policy. The subrecipient, if different than the jurisdiction over the area in which the dam is located, will need to coordinate with the local or tribal government to ensure this is met.

8. When must the tribal or local government with jurisdiction over the area in which the dam is located have in place an approved mitigation plan that includes all dam risk?

The tribal or local government with jurisdiction over the area in which the dam is located must have an approved and adopted mitigation plan that includes all dam risk at the time the Applicant submits the scope of work package to FEMA and at the time FEMA approves the scope of work package. The subrecipient, if different than the jurisdiction over the area in which the dam is located, will need to coordinate with the local or tribal government to ensure key dates and deadlines are understood.

9. What if a special district has jurisdiction over the area in which the dam is located?

In accordance with 44 Code of Federal Regulations Section 201.2, special districts are defined as local governments. If the special district has jurisdiction over the area in which the dam is located, it must have an approved mitigation plan that includes all dam risk.

10. When more than one local government, including special districts, has jurisdiction over a dam, which local government must have an approved mitigation plan that includes all dam risk to meet the eligibility requirements for the High Hazard Potential Dam (HHPD) Grant Program? For example, a dam is owned by a special district that crosses state, county, and township lines and the special district is the subrecipient.

When more than one local government, including special districts, has jurisdiction over a dam, any one of the local governments must have an approved mitigation plan that includes all dam risk to meet the eligibility requirement.

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11. What if the tribal or local government where the dam is located does not have an approved hazard mitigation plan (i.e., has not adopted the mitigation plan or the plan is expired)?

The proposed High Hazard Potential Dam project is not eligible for funding if the local or tribal government where the dam is located does not have a FEMA approved mitigation plan that includes all dam risks. Time extensions to develop a plan will not be considered. However, if the local government has a FEMA approved plan but does not yet meet the address all dam risk requirements, an extension of 12-month to meet the all dam risk requirements may be granted.

12. What if my approved state, local, or tribal mitigation plan does not include all dam risks?

The applicant and subrecipient can apply for a 12-month extension to the mitigation plan requirement using the Extraordinary Circumstances provision found in the Rehabilitation of High Hazard Potential Dams Grant Program Guidance Section 5.9 Mitigation Plan Extraordinary Circumstances. See also Appendix C Mitigation Planning Templates and Tools.

13. If an extension to the planning requirement is granted, who is responsible for updating the local or tribal mitigation plan to include all dam risks?

The local or tribal government with jurisdiction over the area where the dam is located is responsible for updating the mitigation plan to include all dam risks. The High Hazard Potential Dam subrecipient, if different than the jurisdiction where the dam is located, will need to coordinate with the local or tribal government regarding the update to include all dam risks.

14. When does the 12-month EC extension period start?

If an extension is granted by FEMA, the applicable mitigation plan that includes all dam risks must be approved by the FEMA region within 12-months from the date FEMA approves the applicant grant scope of work package.

15. What if the approved plan is not updated to include all dam risk within the 12-month extension, can additional time be given?

No, the extension cannot exceed 12-months from the date FEMA approves the applicant grant scope of work package. If a recipient fails to comply with the terms and conditions of a federal award, FEMA may terminate the award in whole or in part.

Mitigation Planning

16. Why are special districts considered local governments?

44 Code of Federal Regulations 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; per [89 FR 944](#), and any rural community, unincorporated town or village, or other public entity.”

Please review [44 Code of Federal Regulations Part 201 – Mitigation Planning](#) for detailed information.

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17. How can dam owners and operators engage in local hazard mitigation planning?

Dam owners and operators can reach out to surrounding local governments, usually their emergency manager, to determine when the local mitigation plan will be updated and how stakeholders and the public will be engaged. Dam owners and operators are encouraged to share information with local governments that might be impacted by dam failure or mis-operation.

18. Should local governments include upstream High Hazard Potential Dams located outside of their planning area in other jurisdictions?

Yes, if dam failure or mis-operation of upstream dams impact the planning area, jurisdictions are encouraged, but not required, to include all dam risks to meet the [Local Mitigation Planning Policy Guide](#) (FP-206-21-0002, April 19, 2022) to consider all hazards that might cause loss of life and/or property within the planning area. Local governments who identify hazard conditions, but who cannot mitigate them, can work with federal, state, and local authorities, as needed, to determine potential options for correcting these problems.

19. How do I know if the mitigation plan where the dam is located includes all dam risk?

FEMA is responsible for validating that a mitigation plan includes all dam risks. Once FEMA validates that the mitigation planning requirements for addressing all dam risks have been met, an approval letter will be issued to the jurisdiction.

Questions should be sent to the Senior Mitigation Planner in the Mitigation Division of the appropriate FEMA regional office. Contact information is available here: [Contact Us | FEMA.gov](#)

20. Must the High Hazard Potential Dam requirements be addressed for local mitigation plan approval? In other words, can a plan be approved without meeting the High Hazard Potential Dam plan requirements?

Under FEMA's Mitigation Planning Program, local governments are encouraged, but not required, to meet the requirements for all dam risks found in Section 4.7 of the [Local Mitigation Planning Policy Guide](#) for plan approval. However, those interested in applying for a High Hazard Potential Dam grant must demonstrate that the tribal or local government with jurisdiction over the area in which the dam is located has in place an approved and adopted hazard mitigation plan that includes all dam risks. The additional requirements for all dam risks are found in Section 4.7 of the [Local Mitigation Planning Policy Guide](#) and must be met to be eligible for HHPD grants.

21. Can a plan be approved if it *only* addresses the High Hazard Potential Dam plan requirements?

No. The plan must meet all requirements in accordance with the Mitigation Planning regulation at 44 Code of Federal Regulations Part 201 and applicable mitigation planning policy to receive approval.

Population at Risk (PAR)

22. Where/how do local governments calculate or find information on location and population at risk from dams?

Listed below are some common methods:

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GEOGRAPHIC INFORMATION SYSTEM (GIS)

GIS technology is widely used to map and analyze spatial data, including the location of dams and surrounding populations. GIS allows local governments to overlay dam locations with demographic and infrastructure data to identify areas at risk.

DAM INVENTORIES AND DATABASES

Governments maintain inventories or databases of dams within their jurisdiction. These databases include information about dam locations, sizes, capacities, and potential hazards. This information is crucial for assessing the potential impact on nearby populations.

REMOTE SENSING

Satellite imagery and aerial surveys can provide high-resolution images of the landscape, helping authorities identify and analyze the areas around dams. Remote sensing is particularly useful for assessing land use, changes over time, and potential developments in the vicinity of dams.

HYDRAULIC MODELING

Hydraulic modeling involves simulating the behavior of water flow in different scenarios, including dam failure. This modeling helps estimate the extent of potential flooding and the areas that may be affected. Advanced software tools are often used for hydraulic modeling.

EMERGENCY MANAGEMENT PLANS

Local governments develop emergency management plans that include risk assessments for various hazards, including dam failures. These plans may incorporate data on population density, evacuation routes, and emergency shelters, helping to mitigate the impact on the population at risk.

PUBLIC RECORDS AND LAND USE PLANNING DOCUMENTS

Local government records and land use planning documents contain information about zoning, land development, and building permits. Analyzing these documents can help identify changes in the population distribution.

23. Is there more than one method to calculate population at risk?

Methods of study to calculate the Population at Risk is determined by the local government.

Inundation Maps for Dams

24. What if there are no inundation maps for the dam?

The [USGS Flood Inundation Mapping \(FIM\) Program](#) helps communities protect lives and property by providing tools and information to help them understand their local flood risks and make cost-effective mitigation decisions.

25. How do I use DSS-WISE Lite to develop information?

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Decision Support System for Water Infrastructure Security Lite (DSS-WISETM Lite) is a web-based, automated two-dimensional dam-break flood modeling and mapping. Please [click here](#) for more information.

Dam Risk Information

26. Where do I find a list of High Hazard Potential Dams?

State dam safety programs should maintain a dam inventory database of basic information. For each dam regulated by the program, the inventory may include the dam's name, owner information, geographic location, height, storage capacity, hazard potential classification, purpose, condition assessment, and inspection dates. Each state must establish the classification criteria of dams that it regulates by size, hazard potential, and purpose.

Many states have adopted the National Inventory of Dams criteria. The [National Inventory of Dams](#) has catalogued more than 90,000 dams on America's waterways according to their hazard classification. Hazard classification is determined by the extent of damage a failure would cause downstream, with high-hazard potential dams resulting in loss of life and significant-hazard potential indicating a failure would not necessarily cause a loss of life but could result in significant economic losses.

Emergency Action Plans (EAPs)

27. Are EAPs publicly available?

Yes, Emergency Action Plans are public depending on if the organization publishes it. FEMA has guidance on Emergency Action Plans located here: [Planning Guides | FEMA.gov](#)