



**MEETING DATE:** January 22, 2025

**AGENDA ITEM:** 4. Participation in Multi-Jurisdictional Local Hazard Mitigation Plan

**FROM:** Karen Downs

**RE:** Participation in Multi-Jurisdictional Local Hazard Mitigation Plan

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**BACKGROUND:**

In accordance with the Code of Federal Regulations (CFR), related to Local Mitigation Plans, “a local jurisdiction must review and revise its plan to reflect changes in development, progress in local mitigation efforts, and changes in priorities, and resubmit it for approval within 5 years in order to continue to be eligible for mitigation project grant funding” (44 CFR Section 201.6(d)(3)).

On October 14, 2020, the City of Portola City Council adopted the City of Portola Local Hazard Mitigation Plan (LHMP) Update. The LHMP was then approved by the Federal Emergency Management Agency (FEMA) and is effective for 5 years following approval, through November 30, 2025. The Plumas County Multi-Jurisdiction Hazard Mitigation Plan (MJHMP) is expected to be submitted for review in January 2026 and adopted in June 2026.

Based on direction from the Federal Emergency Management Agency (FEMA) and previous City Council direction, staff has been 1) working on an “LHMP Light” update document so that the City remains in compliance for hazard mitigation funding, while 2) fully participating with the Plumas County Multi-Jurisdiction Hazard Mitigation Plan (MJHMP) team on a regional approach to hazard mitigation planning.

**City of Portola LHMP Update**

Staff has recently been informed by the California Office of Emergency Services (Cal OES) that this two-pronged approach is not viable and is not necessary. While it was suggested by FEMA that a LHMP Light update document would be a preferred approach so that the City’s LHMP approval would not lapse, it has subsequently been identified as problematic because:

- There is no established process for a light update, and the City would be held to the same review standard as any other entity doing a complete update. The estimated timeline for this is ±18 months. By the time the City completes the necessary steps and undergoes Cal OES and FEMA review and approval, the LHMP will have already lapsed and it is likely that the MJHMP will already be approved.
- There will not be an existing approved document to use in developing the MJHMP, which will affect the City’s participation.
- The City would need to expend significant resources to prepare the LHMP Update and also participate in the MJHMP.

Recent discussions with Cal OES and the Plumas County MJHMP team have indicated that it

would be more efficient for the City to continue participation in the Plumas County MJHMP process, and allow its LHMP to expire.

### **What are the concerns associated with a lapse in the City's LHMP?**

Generally, during the time that the City's LHMP is expired, the City would not be able to apply for pre-disaster mitigation and planning grants, including:

- Building Resilient Infrastructure and Communities (BRIC) Grant - Projects receiving grant funding have included fire-resistant concrete tanks to protect drinking water reservoirs (Pollock Pines), building a floodwall and restoring habitat to reduce flooding (Oakland-Alameda), seismic retrofits to strengthen Magalia Dam (Paradise), flood protection for Mission Channel (San Bernardino County).
- Pre-Disaster Mitigation (PDM) Grant - funding to plan for and implement sustainable cost-effective measures designed to reduce the risk to individuals and property from future natural hazards. Funded projects range from wildfire prevention, emergency generators, levee protection, road stabilization, and seismic retrofit.
- Flood Mitigation Assistance (FMA) Grant - focus on reducing or eliminating the risk of repetitive flood damage to buildings and structures insured by the National Flood Insurance Program (NFIP), and with participating communities. Projects receiving grant funding have included flood control facilities and elevating residences above the flood zone to mitigate flood risks.

For these grant opportunities, if needed, it is possible that the City could request the County to apply for these grants on their behalf, since the County LHMP does not expire until June 23, 2026.

Cal OES staff emphasized that the City would be eligible to continue to apply for Post-Disaster Mitigation grants under the Hazard Mitigation Grant Program (HMGP) and Post Fire Mitigation Grants. In accordance with the Disaster Mitigation Act of 2000, outlined in Section 206.1 of part 44 of the Code of Federal Regulations, LHMPs are only required if a jurisdiction is planning to apply for mitigation funding. The LHMP does not affect the jurisdiction's eligibility for disaster reimbursement costs under the Public Assistance (PA) Program; the PA and Hazard Mitigation programs are completely different programs.

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### **ALTERNATIVES CONSIDERED:**

#### **The following alternatives have been identified:**

1. Continue with preparation of the "LHMP Light" update document with the understanding that it will not likely be accepted for review by either Cal OES or FEMA since there is no established review process.

**Cost:** an estimated \$7,500.00 would be needed to complete the update document associated City public review process, plus additional minimal costs associated with participation on the MJHMP and in the separate public participation process.

**Timing:** Because it is not likely that the light update would be accepted for review, the City’s LHMP approval would expire in November 2025, and approval would lapse until the MJHMP document is approved (anticipated June 2026).

**Staff review:** Because we have been told that Cal OES and FEMA will not review the document and there will be a lapse in approval status, it does not seem feasible to continue preparing the LHMP Light.

2. Begin preparation of a complete LHMP that meets the updated FEMA Mitigation Planning Guidance (effective April 2023).

**Cost:** The anticipated cost of the Plumas County MJHMP is \$350,000 which will be developed to meet the FEMA Mitigation Planning Guidance (effective April 2023). A complete LHMP would likely be in this range.

**Timing:** This is an ±18 month process and, because it has not yet been initiated, would not be completed prior to the Plumas County MJHMP approval. The City’s LHMP approval would expire in November 2025, and approval would lapse until the MJHMP document is approved (anticipated June 2026).

**Staff review:** The significant additional is not feasible because the MJHMP is already in process and would likely be approved before the City’s LHMP. Additionally, it has been determined that a regional approach to hazard mitigation planning would benefit the region.

3. Abandon the “LHMP Light” update process and continue participation with the Plumas County MJHMP process.

**Cost:** Minimal costs associated with participating with Plumas County on the MJHMP and in the public participation process.

**Timing:** The MJHMP is in process and is expected to be submitted to Cal OES and FEMA for review in January 2026 and adopted in June 2026. The City’s LHMP approval would expire in November 2025 and approval would lapse until the MJHMP document is approved (anticipated June 2026).

**Staff review:** Although there would be a lapse in LHMP approval (from November 2025 to June 2026), Cal OES has indicated that the lapse would not affect the City’s eligibility for disaster reimbursement costs. Continued participation with the MJHMP process would minimize City funds expended and would end up with the same LHMP approval lapse as with other identified alternatives.

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## **FISCAL IMPACT:**

See the cost details under the alternatives considered section.

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**RECOMMENDATION:**

Based on review of the minimal limitations associated with a lapse in LHMP approval (from November 2025 to June 2026), and with input from Cal OES that the lapse would not affect the City’s eligibility for disaster reimbursement costs, staff recommends that the City Council abandon the “LHMP Light” update process and continue participation with the MJHMP process.

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