

COMMONWEALTH OF VIRGINIA

Emergency Operations Plan



Standard Hazard Mitigation Plan Support Annex III Volume II

Virginia Department of Emergency Management

January 2010



Chapter 1 Introduction

Disaster Mitigation Act of 2000

§201.4(c)(6): A Plan Adoption Process. The plan must be formally adopted by the State prior to submittal to us for final review and approval.

§201.4(c)(7): The plan must include assurances that the State will comply with all applicable Federal statutes and regulations in effect with respect to the periods for which it receives grant funding, in compliance with 44 CFR 13.11(c). The State will amend its plan whenever necessary to reflect changes in State or Federal laws and statutes as required in 44 CFR 13.11(d).

1.1 Purpose of the State Hazard Mitigation Plan

The State Hazard Mitigation Plan is a part of the multi-volume *Commonwealth of Virginia Emergency Operations Plan (COVEOP)* and provides guidance for hazard mitigation within the Commonwealth. Its vision is supported by goals, categories and strategies for Virginia state government that will reduce or prevent injury from natural and human-caused hazards to citizens, state facilities, and critical facilities. *Volume II, Support Annex III, Standard and Hazard Mitigation Plan* has undergone a full revision for the required 2010 update. This plan was reviewed and revised by Commonwealth of Virginia Hazard Mitigation Steering Committee (CVHMSC). This plan is supplemented by: agency Continuity of Operations Plans, agency strategic plans, and the multi-volume (*COVEOP*).

This plan fulfills the standard state mitigation planning requirements (44 CFR §201.4) of the Disaster Mitigation Act of 2000 (DMA2K; Public Law 106-390, signed into law October 10, 2000). The DMA2K amends the 1988 Robert T. Stafford Disaster Relief and Emergency Assistance Act, and reinforces the importance of mitigation planning, emphasizing planning for disasters before they occur. Section 322 of the act specifically addresses mitigation planning at state and local levels. New requirements are identified that allow Hazard Mitigation Grant Program (HMGP) funds to be used for mitigation activities and projects for states and localities with Hazard Mitigation Plans approved by November 1, 2004. States that have developed a comprehensive, *Enhanced* mitigation plan prior to a disaster will qualify for higher levels of HMGP funding. The Commonwealth of Virginia Hazard Mitigation Plan is a standard plan meeting the requirements for A Standard State Plan detailed in Interim Rule 44 CFR 201.4, published by the Federal Emergency Management Agency February 28, 2004 and revised November 2, 2006. The Standard Plan was first approved by FEMA Region III on September 28, 2004. The Commonwealth received approval of its enhanced plan status through submittal of Chapter 8 of this plan on March 14,



2007. The approval letter may be found in Enhanced Appendix M. The Commonwealth received approval of a reduced cost share (90/10) for grants awarded under the FMA and SRL programs on May 30, 2008, this letter can also be found in Appendix M.

Meeting the requirements and criteria of section 322 regulations and rules qualifies the Commonwealth to obtain all disaster-related assistance including categories C through G of the Public Assistance Program. This is an essential component of disaster recovery. In addition, the Commonwealth will remain eligible for HMGP funds and the Hazard Mitigation Assistance (HMA) programs which include Pre-Disaster Mitigation (PDM), Flood Mitigation Assistance (FMA), Repetitive Flood Claims (RFC), and Severe Repetitive Loss (SRL) grant programs.

This plan is one of multiple volumes that together constitute the *COVEOP*. The *Basic Plan* and its sub plans listed below are maintained by state agencies with emergency management duties and responsibilities. Selected parts of these plans are available online for viewing or download from the Virginia Department of Emergency Management Online Library at <http://www.vaemergency.com/library/eplan.cfm>.

All volumes of the *COVEOP* have been revised or are currently under revision to assure, among many things, full compliance with the National Response Framework and Continuity of Operations Planning. In addition, the plans are being cross-walked and fully integrated through the current revision of Volume 1 - Basic Plan and Volume 2 - Emergency Support Functions and Support Annexes.

The volumes that comprise the entire Commonwealth of Virginia EOP include:

Table 1.1 Commonwealth Emergency Operations Plan	
Volume	Title
1	<i>Basic Plan</i>
2	<i>Emergency Support Function Annexes and Support Annexes</i>
3	<i>Radiological Emergency Response</i>
4	<i>Terrorism Consequence Management</i>
5	<i>Virginia Hurricane Response Plan</i>
7	<i>Pandemic Influenza Plan</i>
8	<i>Hazardous Materials Response Plan</i>

Authority to implement the plan was further clarified beyond the *Code of Virginia* through Executive Order 73 (97). This Executive Order, issued by Governor George Allen, was rescinded by Executive Order 65(2004), issued by Governor Mark Warner. This Executive Order reflects *Code of Virginia* amendments and amendments to the Emergency Operations Plan. The present Executive Order covers all revisions to the plan to date, including those to Volume 2, Support



Annex 3. Governor Timothy Kaine issued Executive Order 60 in 2007 which rescinds Executive orders 65 and 41 by Governors Warner and Gilmore.

Executive Order 2007

Executive Order 60 (2007)

Promulgation of the Commonwealth of Virginia Emergency Operations Plan

By virtue of the authority vested in me by Section 44-146.17 of the Code of Virginia as Governor and as Director of Emergency Management, I hereby promulgate and issue the Commonwealth of Virginia Emergency Operations Plan ("the Plan") dated 2007. The Plan provides for state government's response to emergencies and disasters wherein assistance is needed by affected local governments in order to save lives; to protect public health, safety, and property; to restore essential services; and to enable and assist with economic recovery.

The Plan is consistent with the Commonwealth of Virginia Emergency Services and Disaster Law of 2000 (Chapter 3.2, Title 44 of the Code of Virginia, as amended), the National Incident Management System as implemented in the National Response Plan adopted December 2004, and the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Public Law 93-288, as amended) with its implementing regulations.

The State Coordinator of Emergency Management, on behalf of the Governor, is hereby authorized to activate the Commonwealth of Virginia Emergency Operations Center ("Virginia EOC") in order to direct and control state government emergency operations. Augmentation of the Virginia EOC shall constitute implementation of the Plan.

Furthermore, the State Coordinator of Emergency Management is hereby authorized, in coordination with the Governor's Office, to amend the Plan as necessary in order to achieve the Preparedness Goals and Initiatives of the Nation and this Commonwealth and in accordance with the Commonwealth of Virginia Emergency Services and Disaster Law of 2000 (Chapter 3.2, Title 44 of the Code of Virginia, as amended).

In accordance with the duties and responsibilities assigned in the Plan, the head of each designated state department or agency shall appoint a lead and at least one alternate Emergency Coordination Officer for the agency. The Emergency Coordination Officer is assigned the following responsibilities:

1. Coordinate with the Department of Emergency Management on emergency preparedness, response, and recovery issues;
2. Prepare and maintain designated parts of the Plan for which the agency is responsible;
3. Prepare and maintain internal plans and procedures to fulfill the responsibilities designated in the Plan;
4. Maintain a roster of agency personnel to assist in disaster operations and ensure that persons on the roster are accessible and available for training, exercises, and activations of the Plan;
5. Coordinate appropriate training for agency personnel assigned to disaster operations;
6. Prepare and maintain internal emergency preparedness, response, and recovery plans for the agency's resources (facilities, personnel, and assets) that outline a comprehensive and effective program to ensure continuity of essential state functions under all circumstances;
7. Assure the State Coordinator of Emergency Management that preparedness plans for its facilities are coordinated with the applicable local emergency management agency.

This Executive Order rescinds Executive Order Number Sixty Five (65) issued on April 1, 2004, by Governor Mark Warner and Executive Order Number Forty One (41) issued on May 17, 1999, by Governor James

Gilmore.

This Executive Order shall be effective upon its signing and shall remain in full force and effect until amended or rescinded by further executive order.

Given under my hand and under the Seal of the Commonwealth of Virginia, this 21st day of December 2007.

/s/ Timothy M. Kaine, Governor

Attest:

/s/ Secretary of the Commonwealth



1.2 Disaster Mitigation Act of 2000 and Implementing Regulations

Section 322 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act or the Act), 42 U.S.C. 5165, was enacted under § 104 of the Disaster Mitigation Act of 2000, (DMA 2000) Public Law 106-390. DMA 2000 was intended to facilitate cooperation between state and local authorities. It encourages and rewards local and state disaster planning in advance of disasters in order to promote sustainability of communities and services as a strategy to improve disaster resistance. This enhanced pre-disaster planning effort is intended to support state and local governments' efforts to articulate accurate, targeted and prioritized needs for hazard mitigation that will reduce exposure to natural and human-caused hazards. This planning effort will result in timely allocation of funding and more effective risk reduction strategies and projects.

FEMA prepared an Interim Final Rule, published in the Federal register on February 26, 2002 within 44 CFR Parts 201 and 206 that establishes planning and funding criteria for states. The Standard Plan Crosswalk may be found in Appendix H.

44 CFR Part 201

44 CFR § 201.1 *et seq.* was promulgated by the Federal Emergency Management Agency, (FEMA) on February 26, 2002 in order to implement DMA 2000. The interim final rule was amended several times to address standard and enhanced state plans during 2007. Guidance for local plans has been revised to address local plan revisions on July 1, 2008. In addition, guidance for the Severe Repetitive Loss and Flood Mitigation Assistance Programs (44 CFR § 201.4 *et seq.*) requires amendment of state plans per a new crosswalk for these programs issued on January 14, 2008. Therefore, the Virginia Hazard Mitigation Plan is being revised to meet crosswalk criteria and to include Governor Tim Kaine's Executive Order that most recently adopted the Commonwealth of Virginia Emergency Operation Plan, which includes the hazard mitigation plan. The rule addresses state mitigation planning, and specifically in 44 CFR § 201.3 (c) identifies the states' mitigation planning responsibilities, which include:

- 1) Prepare and submit to FEMA a Standard Hazard Mitigation Plan following criteria established in 44 CFR § 201.4 as a condition of receiving Stafford Act assistance (except emergency assistance).
- 2) For consideration for 20% Hazard Mitigation Grant Program funding, prepare and submit an Enhanced State Mitigation Plan in accordance with 44 CFR § 201.5, which must be reviewed and updated, if necessary, every three years from the date of the approval of the previous plan.
- 3) Review and if necessary, update the Standard State Mitigation Plan by November 1, 2004, and every three years from the date of approval of the previous plan in order to continue program eligibility.



- 4) Make available the use of up to the seven percent of HMGP funding for planning in accordance with 44 CFR § 206.434. See 44 CFR § 201.3 (c).

44 CFR § 201.4, *Standard State Mitigation Plans*, lists the required elements of state hazard mitigation plans. Under 44 CFR § 201.4 (a), by November 1, 2004 states must have an approved Standard State Hazard Mitigation Plan that meets the requirements of the regulation to receive Stafford Act assistance. The planning process, detailed by 44 CFR § 201.4 (b), must include coordination with other state agencies, appropriate Federal agencies and interested groups.

44 § 201.4 (c), “Plan content,” identifies the following elements that must be included in a state hazard mitigation plan:

- 1) A description of the planning process used to develop the plan;
- 2) Risk assessments that provide the factual basis for activities proposed in the strategy portion of the mitigation plan;
- 3) A Mitigation Strategy that provides the state’s blueprint for reducing losses identified in the risk assessment;
- 4) A section describing Coordination of Local Mitigation Planning;
- 5) A Plan Maintenance Process, including a method and schedule for monitoring, evaluating and revising the plan; a system for monitoring implementation of mitigation strategies and projects; and a system for reviewing progress in achieving goals, objectives and strategies as well as project implementation;
- 6) A Plan Adoption Process for formal adoption by the State Prior to submittal to FEMA for final review and approval; and
- 7) Assurances that the State will comply with all applicable Federal statutes and regulations in effect with respect to grant funding periods, in compliance with 44 CFR 13.11(c). The state must amend its plan whenever needed to reflect changes in state or federal laws and statutes as required by 44 CFR 13.11 (d).
- 8) Revisions to plans per guidance issued January 14, 2008 must include a program strategy is required for state eligibility for 90% federal funding for the Severe Repetitive Loss Program for FY 2008 and the Flood Mitigation Assistance Program for FY2009. Plan revisions must in compliance with 44CFR201.4.



44 CFR Part 206

On February 26, 2002, FEMA also changed 44 CFR Part 206 in order to implement DMA 2000 (*See 67 Federal Register 8844 [February 26, 2002]*). Changes to 44 CFR Part 206 authorize hazard mitigation grant program funds for planning activities and increase the amount of HMGP funds available to states that develop an Enhanced Mitigation Plan. FEMA amended Part 206 in 2006 following the passage of the Katrina Reform Act which restored HMGP funding to 15% of eligible disaster recovery costs for states with approved Standard Mitigation Plans.

In addition, through 44 CFR § 206.400, states receiving any disaster assistance funding under the Stafford Act must conduct repairs or construction funded by a disaster loan or grant in accordance with applicable standards such as the minimum standards of the National Flood Insurance Program (NFIP) and standards substantially equal to the recommended provisions of the National Earthquake Hazards Reduction Program (NEHRP). See Appendix C for the Stafford Act planning regulations.



Virginia Capital, Richmond, Virginia

1.3 Assurances & Adoption

The plan serves as Volume II, Support Annex III: *Standard and Enhanced Hazard Mitigation Plan of the COVEOP*; and is adopted as part of the complete *COVEOP* by the Governor with Executive Order Number Sixty (2007). In addition, the plan has been cross-walked through the Emergency Management Accreditation Program (EMAP) and has been deemed consistent with the standards of EMAP relative to hazard mitigation. The Commonwealth of Virginia's Emergency Management Programs achieved accreditation through the EMAP on November 11, 2005. The Commonwealth of Virginia is currently in the process of EMAP accreditation for 2010.

§44-146.17. Powers and Duties of the Governor.

The Governor shall have, in addition to his powers hereinafter or elsewhere prescribed by law, the following powers and duties:

(1)...He may adopt and implement the Emergency Operations Plan, which provides for state-level emergency operations in response to any type of disaster or large-scale emergency affecting Virginia and that provides the needed framework within which more detailed emergency plans and procedures can be developed and maintained by state agencies, local governments and other organizations.

(2) To appoint a State Coordinator of Emergency Management and authorize the appointment or employment of other personnel as is necessary to carry out the provisions of this chapter, and to remove, in his discretion, and all persons serving hereunder;

§44-146.22. Development of measures to prevent or reduce harmful consequences of disasters.

In addition to disaster prevention measures included in state, local and inter-jurisdictional emergency operations plans, the Governor shall consider, on a continuing basis, hazard mitigation or other measures that could be taken to prevent or reduce the harmful consequences of disasters. At his direction, and pursuant to any other authority, state agencies, including, but not limited to, those charged with responsibilities in connection with floodplain management, stream encroachment and flow regulation, weather modification, fire prevention and control, air quality, public works, land use and land-use planning, and construction standards, shall make studies of disaster prevention. The Governor, from time to time, shall make recommendations to the General Assembly, local governments, and other appropriate public and private entities as may facilitate measures for prevention or reduction of the harmful consequences of disasters.

The Code of Virginia § 44-146.17 allows the Governor to appoint an Emergency Coordinator to carry out all provisions of the Code of Virginia relating to emergency preparedness, response and recovery. *The Code of Virginia § 44-146.22* specifically authorizes the Governor to consider hazard mitigation measures to prevent or reduce the harmful consequences of disasters. The Governor is expected to make recommendations to the General Assembly, local governments, and appropriate public and private entities. This Plan supersedes the hazard mitigation plan developed in 2001 and revised and approved in 2004 and March 14, 2007. It constitutes Volume 2, Support Annex 3 of the multi-volume *COVEP*.

The Commonwealth of Virginia, Department of Emergency Management, pledges that it will:

1. Comply with all applicable Federal statutes and regulations in effect with respect to periods for which it receives grant funding, in compliance with 44 CFR 13.11(c); and
2. Amend this plan whenever necessary to reflect changes in State or Federal laws and statutes as required in 44 CFR 13.11(d).



1.4 State Hazard Mitigation Plan Coordination

VDEM Hazard Mitigation Program Manager

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VDEM Mitigation Planning Staff

Robbie Coates

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Thomas Dickerson, Project/GIS Specialist

FEMA Region III, Mitigation Division

Therese Grubb, 322 Planning

Rich Sobota, NFIP

Portia Ross, 322 Planning



1.5 Overview of Plan

Each chapter begins with the appropriate requirements from the Disaster Mitigation Act of 2000 to provide reference and context to the issues discussed within the chapter. A brief introduction to the section is followed by relevant information, charts, tables, and maps, which fulfill regulation requirements. The main chapters of the plan follow primary requirements of the hazard mitigation planning law:

Chapter 2.0 *Planning Process* describes the activities and work of the State Hazard Mitigation Steering Committee, VDEM staff, and Virginia Tech CGIT. The plan participants and an outline of the planning process are discussed.

Chapter 3.0 *Hazard Identification and Risk Assessment* has undertaken a complete revision for the 2010 update of this plan. Improved analysis of flooding, tornado, winter weather, hurricane wind, and earthquake has been included. Risk assessments from all 27 FEMA approved local hazard mitigation plans have been incorporated. A state facility and jurisdictional analysis was performed, and state facilities and jurisdictions were ranked based on vulnerability.

Chapter 4.0 *Capability Assessment* has been revised and separated into its own chapter, in the 2007 plan it was a part of the Mitigation Strategy. The state capabilities were revisited and updates were made. This section outlines the state's abilities to support mitigation through pre-disaster and post-disaster programs, funding, and laws and regulations.

Chapter 5.0 *Mitigation Strategy* outlines the Commonwealth's vision for mitigation, and the goals, categories, and strategies identified to reduce those risks identified in Chapter 3. Currently there are 119 strategies in the 2010 plan update.

Chapter 6.0 *Coordination with Local Mitigation Planning Efforts*, describes a comprehensive three-year process to engage all Virginia communities in hazard mitigation planning. To date, 27 plans have received FEMA approval, two plans have completed the required 5 year revision. There are also 8 disaster resistant universities which include Virginia State, Virginia Tech, Radford University, Old Dominion, University Mary Washington, University of Virginia, George Mason University, and Virginia Commonwealth University.

Chapter 7.0 *Plan Maintenance, Implementation and Adoption*, outlines implementation of the plan and development of the anticipated 2010 plan revision. Processes used to maintain and update data and information contained in the hazard identification and vulnerability assessment databases are described. A timeline for the 2013 plan revision is outlined, including continued support of the state hazard mitigation steering committee.



Appendices may be found immediately following the plan. These provide detailed listings and agendas from each Steering Committee meeting, details on hazard identification and vulnerability assessment as well as the complete listing of agency-proposed goals, objectives and supporting strategies and proposed projects.

Standard Plan Appendices:

Appendix A includes a list of acronyms used in the plan.

Appendix B includes a glossary of definitions for terms used in the *Commonwealth of Virginia Hazard Mitigation Plan*.

Appendix C presents the federal legislation directing the planning process, i.e. DMA2K.

Appendix D provides the state agency annual strategy report form and the new strategy submission form for the 2010 plan.

Appendix E contains documentation regarding the steering committee meetings from April 2008 – September 2009.

Appendix F provides summary information regarding development of the 27 local mitigation plans approved or under development by regional planning district commissions, regional groups and individual cities, counties or towns.

Appendix G is the comprehensive list of strategies as prioritized by members of the State Steering Committee.

Appendix H contains the Virginia Standard State Hazard Mitigation Plan Crosswalk document.

Appendix I includes the FEMA Region III Gap Analysis of local 322 planning in the Commonwealth, March 2008.

Appendix J contains lists of the 4 sub-committees for the state plan.

Appendix K includes the *HMGP Administration Plan*

Appendix L contains the local hazard mitigation plan ranking sheet for HMA 2010.

Appendix M contains FEMA standard and enhanced approval letters as well as the SRL/FMA 90/10 approval letter.

Appendix N contains the VDEM/FEMA local 322 crosswalk.



This document contains sensitive information that has been redacted from the original document and placed in the document's Technical Support Annex. It is protected from release to unauthorized individuals pursuant to §2.2-3705.2 and §36-105.3, Code of Virginia.

