

Section One Introduction

Hazard Mitigation Planning

Severe weather and hazardous events are becoming a more common occurrence in our daily lives. Pursuing mitigation strategies reduces risk and is a socially and economically responsible action to prevent long term risks from natural and human-caused hazard events.

Natural hazards, such as winter storms, tornadoes, severe wind, hail, lightning, flooding, extreme heat, drought, avalanche, erosion and deposition, expansive soil, subsidence, landslides, earthquakes, and wildfires are part of the world around us. Human-caused hazards are a product of society and can occur with significant impacts to communities. Human-caused hazards include dam failure, levee failure, and hazardous materials release. These hazard events can occur as a part of normal operations or as a result of human error. All jurisdictions participating in this planning process are vulnerable to a wide range of natural and human-caused hazards that threaten the safety of residents and have the potential to damage or destroy both public and private property, cause environmental degradation, or disrupt the local economy and overall quality of life.

Las Animas County has prepared this multi-jurisdictional multi-hazard mitigation plan to identify potential impacts from natural and human-caused hazards and to better protect the people and property of the county from the effects of these hazards. This plan demonstrates a commitment to reducing risks from hazards and serves as a tool to help decision makers establish mitigation activities and resources. Further, this plan was developed to make Las Animas County and the participating jurisdictions herein eligible for federal funding programs under the Hazard Mitigation Assistance (HMA) program. This plan was also developed to accomplish the following objectives.

- Minimize the disruption to each jurisdiction following a disaster.
- Establish actions to reduce or eliminate future damages in order to deficiently recover from disasters.
- Investigate, review, and implement activities or actions to ensure disaster related hazards are addressed by the most efficient and appropriate solution.
- Educate citizens about potential hazards.
- Facilitate development and implementation of hazard mitigation management activities to ensure a sustainable and more resilient community.



FEMA Definition of Hazard Mitigation:
"Any sustained action taken to reduce or eliminate the long-term risk to human life and property from [natural] hazards."

Disaster Mitigation Act of 2000

The U.S. Congress passed the Disaster Mitigation Act of 2000 to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act.¹ Section 322 of the DMA 2000 requires that state and local governments develop, adopt, and routinely update a hazard mitigation plan to remain eligible for pre- and post-disaster mitigation funding.² These funds include the Hazard Mitigation Grant Program (HMGP)³, Flood Mitigation Assistance (FMA)⁴, and the newly released Building Resilient Infrastructure and Communities Grant (BRIC)⁵. BRIC replaced the Pre-Disaster Mitigation (PDM) Program in 2020. The Federal Emergency Management Agency (FEMA) administers these programs under the Department of Homeland Security (DHS).⁶ The Colorado Division of Homeland Security and Emergency Management (DHSEM) administers these grants at the state level.

This plan was developed in accordance with current state and federal rules and regulations governing local hazard mitigation plans. The plan shall be monitored and updated on a routine basis, minimally every five years, to maintain compliance with the legislature per Section 322, Mitigation Planning, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as enacted by Section 104 of the DMA 2000 (P.L. 106-390)⁷ and by FEMA's Final Rule (FR)⁸ published in the Federal Register on November 30, 2007, at 44 Code of Federal Regulations (CFR) Part 201.

Mitigation is the cornerstone of emergency management. Mitigation focuses on breaking the cycle of disaster damage, reconstruction, and repeated damage. Mitigation lessens the impact disasters have on people's lives and property through damage prevention, appropriate development standards, and affordable flood insurance. Through measures such as avoiding building in damage-prone areas, stringent building codes, and floodplain management regulations, the impact on lives and communities is lessened.

Hazard Mitigation Assistance

On June 1, 2009, FEMA initiated the HMA program integration, which aligned certain policies and timelines of the various mitigation programs. These HMA programs present a critical opportunity to minimize the risk to individuals and property from hazards while simultaneously reducing the reliance on federal disaster funds.

Each HMA program was authorized by separate legislative actions and, as such, each program differs slightly in scope and intent. All three grant programs require jurisdictions to have participated in and adopted a FEMA-approved mitigation plan.

1 Federal Emergency Management Agency, Public Law 106-390. 2000. "Disaster Mitigation Act of 2000." Last modified September 26, 2013. <https://www.fema.gov/media-library/assets/documents/4596>.

2 Federal Emergency Management Agency. June 2007. "Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, and Related Authorities." Federal Emergency Management Agency 592: 22. Sec. 322. Mitigation Planning (42 U.S.C. 5165). https://www.fema.gov/pdf/about/stafford_act.pdf.

3 Federal Emergency Management Agency. "Hazard Mitigation Grant Program." Last modified July 8, 2017. <https://www.fema.gov/hazard-mitigation-grantprogram>.

4 Federal Emergency Management Agency. "Flood Mitigation Assistance Grant Program." Last modified July 11, 2017. <https://www.fema.gov/flood-mitigationassistance-grant-program>.

5 Federal Emergency Management Agency. "Building Resilient Infrastructure and Communities." Last modified September 8, 2020. <https://www.fema.gov/grants/mitigation/building-resilient-infrastructure-communities>.

6 Federal Emergency Management Agency. "Hazard Mitigation Assistance." Last modified March 29, 2017. <https://www.fema.gov/hazard-mitigation-assistance>.

7 Federal Emergency Management Agency: Federal Register. 2002. "Section 104 of Disaster Mitigation Act 2000: 44 CFR Parts 201 and 206: Hazard Mitigation Planning and Hazard Mitigation Grant Programs; Interim Final Rule." <https://www.fema.gov/pdf/help/fr02-4321.pdf>.

8 Federal Emergency Management Agency: Federal Register. 2002 "44 CFR Parts 201 and 206: Hazard Mitigation Planning and Hazard Mitigation Grant Programs; Interim Final Rule." <https://www.fema.gov/pdf/help/fr02-4321.pdf>.

- **HMGP:** this program provides funds to states, territories, Indian tribal governments, local governments, and other eligible participants following a presidential disaster declaration. The DMA 2000 authorizes up to seven percent of HMGP funds available to a state after a disaster to be used for the development or update of state, tribal, and local mitigation plans.
- **FMA:** this program provides grant funds to implement projects such as acquisition or elevation of flood-prone homes. Jurisdictions must be participating communities in the National Flood Insurance Program (NFIP) to qualify for this grant.
- **BRIC:** this program replaced the Pre-Disaster Mitigation Program and provides funds on an annual allocation basis to local jurisdictions for implementing programs and projects to improve resiliency and local capacity before disaster events.