



## FEMA Requirement E2: Multi-jurisdiction Adoption

### For multi-jurisdictional plans, has each jurisdiction requesting approval of the plan documented formal plan adoption?

Local Mitigation Plan Review Guide, FEMA, 2011, page 29

This “Good Practice” document is intended to help plan developers understand the FEMA requirement related to developing and adopting resolutions as participants in a multi-jurisdiction hazard mitigation plan. Occasionally, this can be confusing for plan developers. Fortunately, minor adjustments typically result in a satisfactory adoption process.

### Common Reasons Why FEMA Returns Plans for E2 Revisions

See also *Good Practice Guide for Requirement E1: Resolution of Adoption*.

1. In multi-jurisdictional plans with annexes, local resolutions mention only the annex section for an individual city, town, or other regulatory entity, instead of both that jurisdiction’s annex and the regional component.  
**Tip:** The regional component and local annexes must both be adopted in a community’s resolution of adoption, ex., Chittenden County Multi-Jurisdictional All-Hazards Mitigation Plan and Annex 14, the City of South Burlington All-Hazards Mitigation Plan.
2. The governing boards of an incorporated town and village(s) with separate authorities over mitigation do not acknowledge and include separate or combined adoption resolutions for a jointly developed plan (considered a multi-jurisdictional plan, accordingly).  
**Tip:** Include separate or combined resolutions for each governing body to sign, ex., *Town and Village of Johnston, VT Local Hazard Mitigation Plan Annex to the Lamoille County All-Hazards Mitigation Plan*. The resolutions need to include signature lines authorizing for each jurisdiction, such as Town Selectboard Chairperson, Selectboard members, and Village Board of Trustees Chair and Trustees.
3. At least one jurisdiction has not adopted the multi-jurisdictional plan within 1 year of FEMA’s APA notice, necessitating a new state and FEMA review of the plan (and annexes, if applicable).

**Tip:** It is important to coordinate the adoptions of all the jurisdictions as soon as the plan receives APA status to ensure coverage of all participants in the plan for the full 5 years. The governing bodies may have different meeting schedules, which prevent all the jurisdictions from adopting at the same time. However if possible, coordinate the adoptions and submit documentation to the State at the same time.

4. A federally-recognized tribe's resolution does not address the plan's status as a tribal-level plan under the requirements of 44 CFR 201.7, when the tribe participates in a local and tribal multi-jurisdictional hazard mitigation plan.

**Tip:** See also *Tribal Multi-Hazard Mitigation Planning Guidance, 2010*.

## Plans Demonstrating Good Practice for Requirement E2

This section provides four examples of good practices, representing an array of approaches for a multi-jurisdictional plan adoption process. The examples include:

1. Jurisdiction participating in a multiple jurisdiction plan with annexes.
2. Jurisdiction participating in a multiple jurisdiction plan without annexes.
3. Municipality and its village(s) participating in a multiple jurisdiction plan.
4. Tribe participating in a local and tribal multiple jurisdiction plan.

Each abstract is preceded by a brief explanation of why these plan sections meet the requirements. In addition, practices going "Beyond Minimum Requirements" are noted. Many other approaches are possible, so don't be limited by these examples; the approach taken should fit the particular circumstances of the community.

### **Example 1: *Chittenden County, Vermont Multi-Jurisdictional All-Hazards Mitigation Plan and Annex 14, the City of Burlington, Vermont All-Hazards Mitigation Plan***

#### **Why This Plan Demonstrates Good Practice for a Community Participating in a Multiple Jurisdiction Plan with Annexes**

1. The community's resolution correctly specifies that the regional component and local annex are both adopted, and the title shown on the plan is used consistently throughout the resolution.
2. The resolution addresses good practices as identified in *Good Practice Guide for Requirement E1*.

See Abstract below.

Abstract from Appendix A

***Chittenden County, Vermont Multi-Jurisdictional All-Hazards Mitigation Plan and Annex 14, the City of Burlington, Vermont All-Hazards Mitigation Plan, 2011***

WHEREAS, the City of South Burlington has worked with the Chittenden County Regional Planning Commission to identify hazards, analyze past and potential future damages due to all hazards and identify strategies for mitigating future damages; and

WHEREAS, the City of South Burlington, Vermont All-Hazards Mitigation Plan (Annex 14 of the Chittenden County Multi-Jurisdictional All-Hazards Mitigation Plan) in Sections I, II, III and IV analyzes hazards and assesses risks in the City; and in Section V recommends the implementation of a variety of actions to mitigate against damage from hazard events; and

WHEREAS, drafts of the both the Chittenden County, Vermont Multi-Jurisdictional All-Hazards Mitigation Plan and Annex 14, the City of South Burlington, Vermont All-Hazards Mitigation Plan were made available for review by the public and the municipality prior to consideration of this resolution.

WHEREAS, a duly-noticed public meeting was held by the City of South Burlington City Council to formally consider adoption of the Chittenden County, Vermont Multi-Jurisdictional All-Hazards Mitigation Plan and Annex 14, the City of South Burlington, Vermont All-Hazards Mitigation Plan.

NOW, THEREFORE BE IT RESOLVED that the City of South Burlington adopts the Chittenden County, Vermont Multi-Jurisdictional All-Hazards Mitigation Plan and Annex 14, the City of South Burlington, Vermont All-Hazards Mitigation Plan.

BE IT FURTHER RESOLVED that, as outlined in Section VI: Plan Maintenance of the Multi-Jurisdictional Plan, the City of South Burlington, in partnership with the Chittenden County Regional Planning Commission, agrees to review the status of the City's recommended mitigation actions on an annual basis.

Duly adopted this \_\_\_ day of \_\_\_\_\_ (Month), \_\_\_\_\_ (year)

*Signature(s) of First Selectperson or entire Board*

IN WITNESS THEREOF, the undersigned has affixed her/his signature and the corporate seal of the City of South Burlington.

*Signature and seal of certifying witness.*

**Example 2: Pinewood County  
Multi-Jurisdictional Hazard Mitigation Plan Update, 2015**

**Why This Plan Demonstrates Good Practice for a Community Participating in a Multiple Jurisdiction Plan without Annexes**

1. The community's resolution correctly specifies that the town is participating in and has adopted the multiple jurisdiction hazard mitigation plan update, and the title shown on the plan is used consistently throughout the resolution.
2. The resolution also addresses good practices as identified in *Good Practice Guide for Requirement E1*.

See Abstract on following page.

Abstract from page App. 5-4

***Pinewood County Multi-Jurisdictional Hazard Mitigation Plan Update, 2015***

***A Resolution of the Town of Elmwood, (State)  
Adopting the Pine Tree County Multi-Jurisdictional Hazard Mitigation Plan Update, 2015***

WHEREAS, the Town of Elmwood has historically experienced damage from natural hazards and it continues to be vulnerable to the effects of those hazards profiled in the plan (i.e. flooding, drought, ice jams, hurricanes, severe winter storms, thunderstorms, tornadoes, and wildfires) resulting in loss of property and life and threats to public health and safety; and

WHEREAS, the Town of Elmwood has developed and received conditional approval from the Federal Emergency Management Agency (FEMA) for its hazard mitigation plan update entitled Pinewood County, State Initials Multi-Jurisdictional Hazard Mitigation Plan Update, 2015 under the requirements of 44 CFR 201.6; and

WHEREAS, public and committee meetings were held January 2013 and March 2014 regarding the development and review of the Plan; and

WHEREAS, the Plan specifically addresses hazard mitigation strategies and Plan maintenance procedures for the town of Elmwood; and

WHEREAS, the Plan recommends several hazard mitigation actions/projects that will provide mitigation for specific natural hazards that impact the Town of Elmwood, with the effect of reducing vulnerabilities and protecting people and property from loss associated with those hazards; and

WHEREAS, adoption of this Plan will make the Town of Elmwood eligible for funding to reduce long term risks of future hazards; now therefore be it

RESOLVED by the Town of Elmwood Select Board:

1. The Plan is hereby adopted as an official Plan of the Town of Elmwood;
2. The respective officials identified in the mitigation strategy of the Plan are hereby directed to pursue implementation of the recommended actions assigned to them;
3. Future revisions and Plan maintenance are required by 44CFR 201.6 and FEMA are hereby adopted as part of the resolution for a period of five (5) years from the date of this resolution; and
4. An annual report on the progress of the implementation elements of the Plan shall be presented to the Select Board by the Public Works Director.

In accordance with the authority vested in the Town of Elmwood Select Board, they thereby adopt the Pinewood County, State Initials Hazard Mitigation Plan Update, 2015.

Adopted by a vote of \_\_\_ in favor, \_\_\_ against, and \_\_\_ abstaining this \_\_\_ day of October, 2015

*Signature(s) of First Selectperson or entire Board*

IN WITNESS THEREOF, the undersigned has affixed her/his signature and the corporate seal of the Town of Elmwood.

*Signature and seal of certifying witness.*

**Example 3: 2015 Town and Village of Woodstock, VT  
Multi-Jurisdictional Hazard Mitigation Plan**

**Why This Plan Demonstrates Good Practices for a Community and its Village(s) Adopting a Plan**

1. The separate resolutions for the town and its village correctly specify that each governing body is committed to implementing its mitigation strategy and has adopted the multi-jurisdictional hazard mitigation plan update. In addition, the title shown on the plan is used consistently throughout the resolution.
2. The resolutions also address good practices as identified in *Good Practice Guide for Requirement E1*.

See Abstracts on following pages.

Abstract from pages 42-45

**2015 Town and Village of Woodstock, VT Multi-jurisdictional Hazard Mitigation Plan**

**CERTIFICATE OF ADOPTION**

**July 21, 2015**

**Town of Woodstock, Vermont SelectBoard**

**A RESOLUTION ADOPTING THE 2015 Town of Woodstock, Vermont Multi-Jurisdictional Hazard Mitigation Plan**

WHEREAS, the Town of Woodstock has historically experienced severe damage from natural hazards and it continues to be vulnerable to the effects of the hazards profiled in the **2015 Town and Village of Woodstock, VT Multi-Jurisdictional Hazard Mitigation Plan (Plan)**, which result in loss of property and life, economic hardship, and threats to public health and safety; and

WHEREAS, the Town of Woodstock has developed and received conditional approval from the Federal Emergency Management Agency (FEMA) for its **Plan** under the requirements of 44 CFR 201.6; and

WHEREAS, the **Plan** specifically addresses hazard mitigation strategies, and Plan maintenance procedures for the Town of Woodstock; and

WHEREAS, the **Plan** recommends several hazard mitigation actions (projects) that will provide mitigation for specific natural hazards that impact the Town of Woodstock with the effect of protecting people and property from loss associated with those hazards; and

WHEREAS, adoption of this **Plan** will make the Town of Woodstock eligible for funding to alleviate the impacts of future hazards; now therefore be it

RESOLVED by Town of Woodstock Selectboard:

1. The **2015 Town and Village of Woodstock, VT Multi-Jurisdictional Hazard Mitigation Plan** is hereby adopted as an official plan of the Town of Woodstock;
2. The respective officials identified in the mitigation action plan of the **Plan** are hereby directed to pursue implementation of the recommended actions assigned to them;
3. Future revisions and **Plan** maintenance required by 44 CFR 201.6 and FEMA are hereby adopted as part of this resolution for a period of five (5) years from the date of this resolution; and
4. An annual report on the process of the implementation elements of the Plan will be presented to the Selectboard by the Emergency Management Director or Coordinator.

IN WITNESS WHEREOF, the undersigned have affixed their signature and the corporate seal of the Town of Woodstock this 21<sup>st</sup> day of July 2015.

\_\_\_\_\_  
Select Board Chair

\_\_\_\_\_  
Select Board Member

ATTEST

\_\_\_\_\_  
Town Clerk

Abstract from pages 42-45

**2015 Town and Village of Woodstock, VT Multi-jurisdictional Hazard Mitigation Plan**

**CERTIFICATE OF ADOPTION**

**August 11, 2015**

**Village of Woodstock, Vermont Board of Trustees**

**A RESOLUTION ADOPTING THE 2015 Village of Woodstock, Vermont Multi-Jurisdictional Hazard Mitigation Plan**

WHEREAS, the Village of Woodstock has historically experienced severe damage from natural hazards and it continues to be vulnerable to the effects of the hazards profiled in the **2015 Town and Village of Woodstock, VT Multi-Jurisdictional Hazard Mitigation Plan (Plan)**, which result in loss of property and life, economic hardship, and threats to public health and safety; and

WHEREAS, the Village of Woodstock has developed and received conditional approval from the Federal Emergency Management Agency (FEMA) for its **Plan** under the requirements of 44 CFR 201.6; and

WHEREAS, the **Plan** specifically addresses hazard mitigation strategies, and Plan maintenance procedures for the Village of Woodstock; and

WHEREAS, the **Plan** recommends several hazard mitigation actions (projects) that will provide mitigation for specific natural hazards that impact the Village of Woodstock with the effect of protecting people and property from loss associated with those hazards; and

WHEREAS, adoption of this **Plan** will make the Village of Woodstock eligible for funding to alleviate the impacts of future hazards; now therefore be it

RESOLVED by Village of Woodstock Board of Trustees:

5. The **2015 Town and Village of Woodstock, VT Multi-Jurisdictional Hazard Mitigation Plan** is hereby adopted as an official plan of the Village of Woodstock;
6. The respective officials identified in the mitigation action plan of the **Plan** are hereby directed to pursue implementation of the recommended actions assigned to them;
7. Future revisions and **Plan** maintenance required by 44 CFR 201.6 and FEMA are hereby adopted as part of this resolution for a period of five (5) years from the date of this resolution; and
8. An annual report on the process of the implementation elements of the Plan will be presented to the Board of Trustees by the Emergency Management Director or Coordinator.

IN WITNESS WHEREOF, the undersigned have affixed their signature and the corporate seal of the Village of Woodstock this 11th day of August 2015.

\_\_\_\_\_  
Board of Village Trustees Chair

\_\_\_\_\_  
Board of Village Trustees Member

ATTEST

\_\_\_\_\_  
Town Clerk

**Example 4:**

***Southeastern Connecticut Council of Governments Multi-Jurisdictional Hazard Mitigation Plan Update and Hazard Mitigation Plan Update Annex for the Mashantucket Pequot Tribal Nation***

**Why This Plan Demonstrates Good Practices for a Tribal Nation Adopting a Local and Tribal Multi-Jurisdictional Plan**

1. The resolution recognizes the status of the plan as that of a tribal nation participating under the requirements of 44 CFR 201.7.
2. The resolution integrates the tribe's particular legal and customary practices for adoption of its governing body's resolutions.
3. The resolution also addresses good practices as identified in *Good Practice Guide for Requirement E1*.

See Abstract on this and following pages.

Abstract from Appendix B

***Southeastern Connecticut Council of Governments Multi-Jurisdictional Hazard Mitigation Plan Update and Hazard Mitigation Plan Update Annex for the Mashantucket Pequot Tribal Nation***

Mashantucket Pequot  
Tribal Nation



TRIBAL COUNCIL

**RESOLUTION NUMBER TCR050913-02 of 07  
OF THE  
MASHANTUCKET PEQUOT TRIBAL COUNCIL,  
THE GOVERNING BODY  
OF THE  
MASHANTUCKET PEQUOT TRIBE**

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**Adopts the Southeastern Connecticut Council of Governments Multi-Jurisdictional Hazard Mitigation Plan and Hazard Mitigation Plan Update Annex for the Mashantucket Pequot Tribal Nation**

**WHEREAS**, the Mashantucket Pequot Tribe (the "Tribe") is a federally-recognized, Indian Tribe; and

**WHEREAS**, the Mashantucket Pequot Tribal Council (the "Council") is the Duly Authorized Governing Body of the Tribe pursuant to the Constitution and By-Laws of the Tribe, and is a Federally-recognized, Indian Tribal Government; and

**WHEREAS**, the Mission Statement of the Mashantucket Pequot Tribal Nation pursuant to TCR022499-01 states, "*...the ultimate goal is to protect and advance the Sovereign Rights of the Tribal Nation in order to build and preserve a cultural, social and economic foundation that can never be undermined or destroyed.*"; and

**WHEREAS**, the Mission Statement of the Tribal Council, as amended pursuant to TCR011410-03, is to preserve, protect and advance the Mission Statement of the Tribe for the benefit of the Mashantucket Pequot Tribal Nation; and

**WHEREAS**, the purpose of mitigation planning is to identify the natural hazards, identify actions and activities to reduce any losses from those hazards, and establish a coordinated process to implement the (hazard mitigation) plan, taking advantage of a wide range of resources; and

**WHEREAS**, Indian Tribal Governments are required to develop a Hazard Mitigation Plan that meets the requirements of 44 CFR §201.7 as a condition of receiving from the Federal Emergency Management Agency (FEMA) certain types of non-emergency Stafford Act

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## Abstract from Appendix B

***Southeastern Connecticut Council of Governments Multi-Jurisdictional Hazard Mitigation Plan Update and Hazard Mitigation Plan Update Annex for the Mashantucket Pequot Tribal Nation****Continued***RESOLUTION NUMBER TCR050913-02 OF 07**

assistance and FEMA mitigation grants which will help to alleviate the impacts of future hazards on the Reservation; and

**WHEREAS**, pursuant to TCR110105-01 of 03, the Council adopted the Southeastern Connecticut Council of Governments (SCCOG) Multi-jurisdictional Hazard Mitigation Plan of 2005 and Community Annex for the Mashantucket Pequot Tribal Nation as its official Hazard Mitigation Plan; and

**WHEREAS**, FEMA requires that Hazard Mitigation Plans (HMPs) be reviewed and updated every five (5) years from the date of approval of the previous plan in order to continue program eligibility; and

**WHEREAS**, the Tribe, operating under an expired Plan, has been working with the Southeastern Connecticut Council of Governments (SCCOG) and/or its designees to review and update same; and

**WHEREAS**, the Assistant Chief of the Fire & Emergency Services Department, Director of Public Works, Community Planning, and Building Management, the Tribe's Building Official, and an Administrative Staff Member participated in the SCCOG Regional Hazard Mitigation Planning Process; and

**WHEREAS**, SCCOG Multi-Jurisdictional Hazard Mitigation Plan 2012 Update (*Exhibit A*) and Hazard Mitigation Plan Update Annex for the Mashantucket Pequot Tribal Nation (*Exhibit B*) drafts dated July 2012 were prepared by Milone & MacBroom, Inc., on behalf of SCCOG; and

**WHEREAS**, the SCCOG Multi-Jurisdictional HMP Update and HMP Update Annex for the Mashantucket Pequot Tribal Nation specifically address hazard mitigation strategies and plan maintenance procedures for the Tribe and recommend several hazard mitigation actions/projects that will provide mitigation for specific natural and human-caused hazards that impact the Tribe, with the effect of protecting people and property from loss associated with those hazards; and

**WHEREAS**, the SCCOG Multi-Jurisdictional HMP Update and HMP Update Annex for the Mashantucket Pequot Tribal Nation were made available for public review and comment, with comments received from the public incorporated into the final draft where applicable following State and Federal comments; and

**WHEREAS**, the SCCOG Multi-Jurisdictional HMP Update and associated HMP Update Annexes were subsequently endorsed by FEMA on October 19, 2012, pending formal adoption by each participating jurisdiction; and

**WHEREAS**, a comprehensive internal review of the HMP Update Annex for the Mashantucket Pequot Tribal Nation, as prepared by Milone & MacBroom, Inc., concluded that same did not fully reflect the concerns of the Tribe and, therefore, required significant modifications prior to Council approval; and

## Abstract from Appendix B

***Southeastern Connecticut Council of Governments Multi-Jurisdictional Hazard Mitigation Plan Update and Hazard Mitigation Plan Update Annex for the Mashantucket Pequot Tribal Nation***

*Continued*

**RESOLUTION NUMBER TCR050913-02 OF 07**

**WHEREAS**, the HMP Update Annex for the Mashantucket Pequot Tribal Nation has since been revised to reflect the concerns of the Tribe and comply with suggested edits provided by the Tribe's FEMA Mitigation/Tribal Specialist; and

**WHEREAS**, the Assistant Fire Chief/Emergency Manager subsequently submitted the Hazard Mitigation Plan Update Annex for the Mashantucket Pequot Tribal Nation as amended January 30, 2013, to SCCOG, Milone & MacBroom, Inc., and the State of Connecticut DEEP for review and to FEMA for "approval pending adoption"; and

**WHEREAS**, the Council must adopt the SCCOG Multi-Jurisdictional Hazard Mitigation Plan Update dated July 2012 (*Exhibit A*) and the Hazard Mitigation Plan Update Annex for the Mashantucket Pequot Tribal Nation, as amended January 30, 2013 (*Exhibit B*) within one year of FEMA's "approval pending adoption" of its resubmitted Annex or, if it misses its deadline, develop and resubmit its own single-jurisdiction, Tribal-level Plan; and

**WHEREAS**, per TCR053112-01 of 09 amended by TCR060512-05 of 06, the Tribal Council mandated that the Tribal Council Sponsor of any proposed legislation or resolution submit the proposed resolution or legislation to the Office of Legal Counsel to obtain Legal Review and Analysis and completion of an LRA Certificate stating whether there are any legal impacts on the Mashantucket Pequot Tribal Nation, or its Entities, as a result of the proposed resolution or legislation.

**WHEREAS**, per TCR022602-03, amended by TCR031803-01, TCR071803-09, TCR070105-03, TCR122905-02, TCR110907-01 and TCR030211-01, the Tribal Council: mandated that the Tribal Council Sponsor of any proposed enactment work in conjunction with the Chief Financial Officer to ensure that drafts of proposed legislative actions and resolutions specify whether there is or is not a financial impact on the current fiscal year's budget or the 10-year financial forecast; mandated that the sponsor identify how a negative financial impact, if any, shall be funded; approved the form of a new FIP Certificate; required that all proposed resolutions that authorize spending outside of the approved budgets **must** be voted on in Tribal Council Chambers and cannot be submitted for e-mail vote; directed that borrowing, provided that borrowing is not restricted by any of the Tribe's then-current loan agreements, will only be allowed for opportunities with a rate of return on investment above the risk-adjusted weighted average cost of capital, to be documented by a financial pro forma (referenced by and attached to the draft resolution) and mandated that the funding source and financial impact language from the FIP Certificate must be repeated in the RESOLVED section of all applicable resolutions; and

**WHEREAS**, as requested by the Tribal Council Sponsor of the proposed resolution, the Chief Financial Officer and Tribal Council Treasurer have submitted the **attached Finance Impact Protocol – Certificate of Compliance**, pursuant to TCR031803-01 as amended by TCR070105-03 and TCR030211-01, which certifies compliance with the Procedures approved pursuant to TCR071803-09 and amended by TCR030211-01 (*Attachment 1*).

*Financial Impact: This resolution will have no financial impact. The Hazard Mitigation Plan (HMP) sets goals and includes recommendation which continue current protocols or are generally expected to be completed with internal resources. It is expected that any new goals*

## Abstract from Appendix B

***Southeastern Connecticut Council of Governments Multi-Jurisdictional Hazard Mitigation Plan Update and Hazard Mitigation Plan Update Annex for the Mashantucket Pequot Tribal Nation****Continued*

## RESOLUTION NUMBER TCR050913-02 OF 07

*that may involve spending would only be completed if Grant Funding is secured. This update HMP is expected to improve future MPTN Grant opportunities.*

*Operating/Capital Budget Inclusion: N/A*

*Funding Source: N/A*

*Other Considerations: N/A*

**WHEREAS**, per TCR053112-01 of 09 amended by TCR060512-05 of 06, the Office of Legal Counsel reviewed the proposed resolution and completed an LRA Certificate setting forth the legal impacts, if any, of the resolution (*Attachment 2*).

**THEREFORE BE IT RESOLVED**, the Mashantucket Pequot Tribal Council hereby adopts the SCCOG Multi-Jurisdictional Hazard Mitigation Plan Update dated July 2012 as prepared by Milone & MacBroom, Inc. (*Exhibit A*) and the Hazard Mitigation Plan Update Annex for the Mashantucket Pequot Tribal Nation as amended January 30, 2013 (*Exhibit B*), as its official Hazard Mitigation Plan.

**BE IT FURTHER RESOLVED**, the respective departments identified in the mitigation strategy of the HMP Update Annex for the Mashantucket Pequot Tribal Nation are hereby directed to pursue implementation of the recommended actions assigned to them.

**BE IT FURTHER RESOLVED**, future revisions and HMP maintenance required by 44 CFR 201.7 and FEMA are hereby adopted as part of this resolution for a period of five (5) years from the date of this resolution.

**BE IT FURTHER RESOLVED**, the Assistant Fire Chief/Emergency Manager will provide to the Council an annual report on the progress of the implementation elements of the HMP Update Annex for the Mashantucket Pequot Tribal Nation by November 15<sup>th</sup> of each calendar year.

**BE IT FURTHER RESOLVED**, the Tribe 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); and will amend its HMP whenever necessary to reflect applicable changes in Tribal and/or Federal laws and statutes as required in 44 CFR 13.11 (d).

**BE IT FINALLY RESOLVED**, per the FIP Certificate:

*Financial Impact: This resolution will have no financial impact. The Hazard Mitigation Plan (HMP) sets goals and includes recommendation which continue current protocols or are generally expected to be completed with internal resources. It is expected that any new goals that may involve spending would only be completed if Grant Funding is secured. This update HMP is expected to improve future MPTN Grant opportunities.*

*Operating/Capital Budget Inclusion: N/A*

*Funding Source: N/A*

*Other Considerations: N/A*

Abstract from Appendix B

**Southeastern Connecticut Council of Governments Multi-Jurisdictional Hazard Mitigation Plan Update and Hazard Mitigation Plan Update Annex for the Mashantucket Pequot Tribal Nation**

Continued

**RESOLUTION NUMBER TCR050913-02 OF 07**

Upon motion duly made and seconded, the foregoing Resolution was adopted by the following vote:

Number of "Yes" Votes	7
Number of "No" Votes	0
Number of Abstentions	0
Number of Absent Members	0

**CERTIFICATION**

I, the undersigned, Rodney A. Butler, Chairman of the Mashantucket Pequot Tribal Council, do hereby certify that the Mashantucket Pequot Tribal Council is composed of **SEVEN (7)** members of whom **SEVEN (7)** were present, thereby constituting a quorum, at a duly called Mashantucket Pequot Tribal Council Meeting held on the **9th day of May, 2013**; and that the foregoing Resolution was adopted by the affirmative vote of **SEVEN (7)** members.

  
 Rodney A. Butler, Chairman  
 Mashantucket Pequot Tribal Council

Date: 5/20/13

ATTEST:

  
 Marjorie P. Colebut-Jackson, Secretary  
 Mashantucket Pequot Tribal Council

Date: 5/16/13

APPROVED AS TO FORM:

  
 Jackson T. King, Tribal General Counsel  
 Office of Legal Counsel

Date: 5/15/13

## E2 Regulatory Guidance

### Abstracts from *Code of Federal Regulations and Local Mitigation Plan Review Guide, October 1, 2011*

#### Element E2 Regulation [§201.6(c) (5)] (page 28)

[The plan shall include...] Documentation that the plan has been formally adopted by the governing body of the jurisdiction requesting approval of the plan (e.g., City Council, County commissioner, Tribal Council). For multi-jurisdictional plans, each jurisdiction requesting approval of the plan must document that it has been formally adopted.

#### Element Intent (page 29)

To demonstrate the jurisdiction's commitment to fulfilling the hazard mitigation goals outlined in the plan, and to authorize responsible agencies to execute their responsibilities.

#### Element Requirements (page 29)

1. Each jurisdiction that is included in the plan **must** have its governing body adopt the plan prior to FEMA approval, even when a regional agency has the authority to prepare such plans.

As with single jurisdictional plans, in order for FEMA to give approval to a multi-jurisdictional plan, at least one participating jurisdiction **must** formally adopt the plan within one calendar year of FEMA's designation of the plan as "Approvable Pending Adoption." See Section 5, Plan Review Procedure for more information on "Approvable Pending Adoption."

### Abstract from *Code of Federal Regulations and Tribal Multi-Hazard Mitigation Planning Guidance, March 2010*

#### Element E2 Regulation [§201.7(c) (5)] (page 77)

The plan must be formally adopted by the governing body of the Indian Tribal government prior to submittal to FEMA for final review and approval.

### Check Out These Additional Aids

Local Mitigation Plan Review Guide, October 2011

<http://www.fema.gov/media-library/assets/documents/23194>

Local Mitigation Planning Handbook, March 2013 (pages 8-2 through 8-3)

<http://www.fema.gov/media-library/assets/documents/31598>

Tribal Multi-Hazard Mitigation Plan Guidance, March 2010 (page 77 – 78)

<https://www.fema.gov/media-library/assets/documents/18355>