

## **APA-NJ Hazard Mitigation & Recovery Planning Committee: How a “Gold Standard” Hazard Mitigation Plan Might Take Shape in New Jersey**

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The State of New Jersey / FEMA Recovery Framework acknowledges the importance of Hazard Mitigation and its role in all the other 6 Recovery Support Functions (RSFs). In order to support the principal of Jersey Strong, the New Jersey Chapter of the American Planning Association has brought together thought leaders statewide since December to discuss the role of planning and planners to the response, recovery, and mitigation needs of our State.

Through its Hazard Mitigation and Recovery Planning Committee, the New Jersey Chapter of the American Planning Association agreed that it would be useful to provide the State of New Jersey guidance aimed at informing its decision-making process on how to make mitigation and recovery planning more effective. The initial focus is on what the “Gold Standard” for Mitigation Planning in New Jersey would look like. Any effort in this regard must of course begin with FEMA’s Hazard Mitigation Planning Guidance primarily because of the funding involved is an important consideration. While the FEMA guidance document could be more specific regarding who must be at the planning table and recognize the need for planning capacities at the local level, FEMA’s guidance represents a strong beginning that is evolving with each round of evaluation it undertakes. This report is meant to work with FEMA requirements and recommend how the State of New Jersey can make the process more effective through its policies and structural framework within a state where home rule is the most critical component to avoiding and mitigating hazards.

To validate and underscore the role of mitigation planning, there are several external resources recognized nationally as experts in the field of hazard mitigation and recovery planning. Accordingly, the Multihazard Mitigation Council, a council of the National Institute of Building Sciences concluded in their 2005 report that *for every dollar spent in mitigation four are saved in recovery*. Accordingly, the American Planning Association through its guidance report entitled Hazard Mitigation: Integrating Best Practices into Planning, found that; *“Effective mitigation clearly makes recovery easier in most cases by reducing the levels of damage that occur; at the same time, the recovery period often affords significant political and financial opportunities to advance the logic of mitigation against future disasters.”*

For purposes of this report APANJ focused on the comprehensive planning component of Hazard Mitigation planning process. Upon review of many of the NJ multi-jurisdictional mitigation plans, it seems as though a more comprehensive, strategic, effective approach can easily be achieved by ensuring appropriate stakeholders and professionals are at the table working together with all aspects of the community.

This Report is Focused on three (3) main components that we hope are helpful in solidifying the State’s economic, and environmental and physical resiliency through Hazard Mitigation Planning; Framework and Coordination, Capacity Building, and Overall Planning Issues.

### The Framework of Support and Coordination – State, County, and Local Process

FEMA considers the mitigation planning process to be as important as the plan itself, which means that it is imperative for the State to place the same importance on the planning process for mitigating against hazards. After a cursory analysis of plans adopted in New Jersey, not only has the process been somewhat limited, but mitigation measures at the local level where they matter most are significantly deficient as a result. This is the result of both state and local production of these important documents as well as Federal review and acceptance. We believe the issue lies not only in the details of the guidance offered to local officials regarding the planning process necessary to effectively complete a plan, but more importantly it lacks guidance on incorporating the professionals necessary to take on specific roles and tasks within the planning process and the implementation of the plans. Hazard Mitigation planning, in our estimation, must be a team effort consisting of professionals in the fields of emergency management, planning, public works, architecture, engineering, and public policy. All of course play specific roles in developing plans, implementation thereof, and response and recovery.

The multi-jurisdictional plans we reviewed contained a great deal of data, and therefore can serve as an excellent resource for the communities within their jurisdictions. They provide a valuable framework and wealth of information for municipalities to begin addressing their issues regionally. However, they often do not provide sufficient details on policy and implementation mechanisms, much less who has the authority to carry them out. These plans have been approved with what appears to be a laundry list of implementation tasks with little detail explaining how they should be performed. Some of these plans never reached local planning and zoning officials and therefore fall short in achieving actual progress, or changes in plans and ordinances necessary to protect our communities. As such, we feel many opportunities have been and will continue to be missed.

Municipal Planning Boards are important bodies that should be involved in hazard mitigation planning. In NJ, these boards create land use policy and implement them through local ordinance and project approval. Without a defined role in hazard mitigation, many Boards will neither fully appreciate the mitigation context, nor incorporate the concepts into their policies and project approvals. While it is difficult to mandate good planning, we can at least ensure a sufficiently inclusive and thoughtful process where implementation matters most – on the ground.

A team effort is essential to creating The making of strong resilient communities, requiring coordination, horizontally and vertically. Consideration of Legislation pertaining to the County Planning Act and Municipal Land Use Law as well as the functional planning for which the agencies are responsible. will also play a role in strengthening what will be a Jersey Strong approach. Accordingly, the State should extract parallels between a comprehensive planning process and the State Strategic Plan.

#### RECOMMENDATIONS:

- Hazard Mitigation planning teams should be required to consult with local

Planning Boards – the municipal agency that both establishes and implements land use policy, including municipal professional planners (whether they be consultants or staff) who actively interface with their local and county Planning Boards along with state and regional planning and regulatory agencies. . At a minimum, County Hazard Mitigation Plans should include a supplement to Governing body support resolutions from municipal Planning Boards that acknowledges each level of hazard vulnerability, the current policy and regulations to mitigate impact, and future policy and regulations to further mitigate risks.

- Counties could propose logical sub-regional affiliations based on boundaries defined by vulnerabilities and risk probability and, as a result, encourage municipal cooperatives. FEMA guidelines, which do not currently promote such collaborations, could be modified to give ranking weight when such coordination/collaboration can be achieved.
- Implementation of mitigation strategies will require coordination horizontally across the agencies and vertically through counties to municipalities. Strategies and rulemaking that strengthen these relationships is an important investment decision.
- The MLUL should be modified to strengthen the planning role for municipalities. While it will take time to flesh out the details, it should require that hazard mitigation planning be incorporated in other master plan elements and particularly in the land use element, circulation, parks and open space, community facilities, and housing elements.
- Start now. Begin implementing these changes with any County creating or updating HMPs to pilot out innovations agreed to by State OEM / FEMA and the Statewide Hazard Mitigation Working Group

#### Capacity Building – It's About Investing in the Economy

Notwithstanding the actual FEMA funding process that supports Hazard Mitigation Planning, the state also has the ability to advance these planning efforts through the framework that is being created with the Post Sandy effort and the State's alignment with the Federal Response Framework occurring within the Agencies. Unless municipalities have a dedicated source of funding for professionals working with local planning officials, most towns are unlikely to provide the funding necessary to participate in a truly meaningful manner, unable to create the on-the-ground implementation mechanisms – projects, planning, zoning, and infrastructure design.

Again, municipalities need to be more involved. The state lacks the planning capacity to effectively provide municipalities the level of assistance they require. On-the-ground planning practitioners are required. Policy advocates are great, but they lack design and master planning training and experience. Hazard Mitigation cannot be effective at the State and County level without significant participation of the parties chiefly responsible for implementation. As such, the planning and design community can be a key player as they are well versed in public participation and stakeholder involvement. The message to municipalities is that Hazard Mitigation Planning is about dollars and sense (not just cents). When we look at how insurance rates will affect decisions made by homeowners,

business owners and investors in NJ; when we look at cost avoidance post disaster; when we look at protecting our economy and our tax base, it is an economic growth issue. Hazard Mitigation involves all aspects of what a comprehensive Master Plan is supposed to be – within the required and recommended elements identified in the MLUL.

Some solutions identified through the Hazard Mitigation process will be large mitigation projects requiring planners, engineers and architects working together, but a great deal of impact can be achieved simply through the local land development ordinances.. An ordinance that guides private investment acts like a public-private partnership in its simplest terms. Past planning and development practice in NJ is not a sustainable economic strategy. In fact, the Netherlands, which is are more susceptible to weather than just about any other developed nation, views view this issue as a economic one – working with the environment is not only sensible, it is imperative.

A “Gold Standard” Plan can be championed be by any representative of government, but it will be best developed and implemented though a multi-disciplinary approach and must involve many components of a community, both internal to Administrative functions and most importantly externally into the community. So while local OEM officials have routinely driven these planning efforts, planners and engineers working with parks and recreation officials, public works, and planning, zoning and construction officials, belong in leadership roles as well.. To this end, the State’s Hazard Mitigation team should be thinking along these lines as well.

At the same time, the business community needs to be heavily involved in the process. If business and civic groups see the planning process as a needed and welcome level of assistance, the likelihood that the political leadership will be comfortable with it will be far greater than if it is seen as simply another layer of costs to be imposed on business and homeowners.

Land use planning and community design are critical to achieving sustainable, resilient economic growth. Local decisions made in this regard directly affect how potential hazards may jeopardize our investments. Planning and design can also inform recovery and response planning such as those decisions that impact community facilitates and environmental resource. As such, community facilities elements and environmental resource inventories could play a significant role in developing meaningful strategies that our first responders can utilize in developing their portion of the plan.

**RECOMMENDATIONS:**

- Utilize some of the state’s HMGP funding, as well as other state funding sources to provide municipalities with the necessary resources to participate in mitigation in a more meaningful manner. This seems to be the largest gap in the guidance for preparation of the mitigation plan. Establishing public-private partnerships will be critical to achieving long-term sustainability. Land development ordinances must address this as investment opportunities through good community design are brought forth. Financial resources for municipal mitigation planning and implementation, again, need to be an

- important consideration as part of a state's economic strategy.
- Allow HMGP, CDBG and other Federal program funds to be used by local governments for hazard mitigation planning, particularly for planners to assist preparing vulnerability analysis and risk assessment. These analyses in themselves would not result in a complete HMP eligible for FEMA or HUD approval and project funding, but it would put local governments in a position they could readily evolve to that and expedite the implementation of projects (such as bridge and culvert improvements, Green Acres and Blue Acres open space acquisitions, individual home / business structural elevations, ordinance amendments...) that are not dependent on FEMA or HUD funds.
  - Public Education and the stakeholder process is critical to developing and implementing an effective Hazard Mitigation Plan. While public officials appear process-averse, an open, inclusive and ongoing participation effort is critical in delivering the message and also engaging detractors head-on. The professional planning community must be an active party in the constituency building process.
  - The message of the critical relationship between comprehensive planning and a healthy economy must continue to be stressed and supported by all levels of government. As such, the interface between local master planning and zoning is critical.
  - Coordinate the State Strategic Plan (pending adoption) with hazard mitigation principles by aligning state agency funding to achieve greater overall fiscal responsibility and by creating an incentive for municipalities to make strategic investments in measures that address regionally significant issues.
  - First response and recovery planning should be incorporated and/or more strongly tied into the hazard mitigation planning, particularly as communities analyze their master plan elements. Response and recovery planning could benefit greatly from a close alignment with a community's land use planning component.

### Overall Planning Goals

Through the state's leadership exhibited by the great work it has performed over the last two years in the topic of planning and the leveraging of resources by breaking down the silos of its agencies, APA-NJ remains optimistic that our state will collectively take ownership of its issues and emerge stronger than ever. Obviously partisan politics will continue to divide us, but as long as we continue to advance the state forward for the benefit of all its citizens we will remain on solid ground. Given our preliminary understanding of how it seeks to move us toward a unified approach for recovery underscores this acknowledgment.

As a point of interest, the American Planning Association (APA) is known nationally as a leader in Hazard Mitigation and Recovery Planning, working with experts and mitigation staff from FEMA headquarters for many years. Recent wide-ranging discussions have sought to identify issues, potential case studies, and, where possible, guiding principles for planning practice. The results included a Best Practices Summary produced for FEMA review. They summarize the collective wisdom of some of the best minds in the

field of hazard mitigation planning. The APA through its report entitled Hazard Mitigation: Integrating Best Practices into Planning they summarized their key findings nationwide. It is important to summarize these findings as they validate and strengthen the state's approach moving.

#### WHAT WORKS

- Complementary Goals and Objectives in the Local Hazard Mitigation Plan and Comprehensive (Master) Plan
- Implementing Hazard Mitigation through Government Expenditures and Development Regulations
- Documenting Existing and Predicted Future Conditions and Raising Awareness of What Can Be Done about Them
- Mutual Reinforcement Between Hazard Mitigation and Other Planning Goals
- Sustaining Leadership for Hazard Mitigation
- Strong Culture of Preparedness and Mitigation
- Using External Drivers As Leverage While Focusing on Community Needs
- Proactive Outreach and Stakeholder Involvement in Planning

#### WHAT DOES NOT WORK

- Procrastination
- Failure to Involve Planners in Local Hazards Planning
- Failure to Engage Public Participation or to Communicate about Hazards
- Investment in Redevelopment without Accounting for Hazards
- Failure to Use Other Plans to Address Hazards

#### THE ROAD AHEAD

- Learn from Disasters
- Start Change Now
- Strengthen Integration of Hazards with Other Planning Activities
- Think Linkages

The New Jersey Chapter of the American Planning Association is poised to continue playing a considerable role in building the planning capacity in New Jersey. To implement the Gold Standard of mitigation planning in New Jersey will require all development professionals working with the traditional key personnel to make it happen - APA-NJ is committed to ensuring it happens effectively.