



MEETING NOTES

Meeting	State of West Virginia Hazard Mitigation Plan (HMP) State Planning Team (SPT) Capabilities Assessment Meeting		
Date	November 9, 2022	Time	9:00 a.m. – 12:00 p.m.
Location	West Virginia Emergency Management Division, 2403 Fairlawn Avenue, Dunbar, West Virginia		
Attendees	Lonnie Bryson, Section Chief, WV EMD		
	Tony Domingo, Assistant Section Chief, WV EMD		
	Matthew Gregg, Region 6 Liaison Officer/EMAC A-Team, WV EMD		
	Ben Hersman, Region 1 Liaison Officer/EMAC A-Team, WV EMD		
	Gabriel Reed, State Hazard Mitigation Officer, West Virginia Emergency Management Division (WV EMD)		
	Nate Meadows, Deputy Director - Homeland Security And Emergency Response, West Virginia Department of Environmental Protection		
	Robert Bailey, Deputy State Fire Marshal, West Virginia State Fire Marshal's Office		
	Robert Martin, Director, West Virginia State Resiliency Office		
	Holly Quentrill, Administrative Assistant, West Virginia State Resiliency Office		
	C.W. Sigman, Director/Fire Coordinator, Kanawha County Office of Emergency Management		
	Ray Perry, Floodplain Administrator, Logan County		
	Sheena McClung, Floodplain Administrator, Nicholas County		
	Tony Edwards, Warning Coordination Meteorologist, National Weather Service Charleston, West Virginia		
Tony Subbio, Project Manager, Tetra Tech			

Discussion Points

This section summarizes each discussion point addressed during the State Planning Team Capabilities Assessment Meeting.

Welcome and Introductions

Mr. Reed welcomed attendees to the meeting. Attendees introduced themselves. Mr. Subbio provided an orientation to the meeting materials.

State Legal and Regulatory Environment

- Building Codes
 - The West Virginia State Building Code is not enforced in all communities. Communities can decide whether to enforce a building code. If they choose to, they must adopt and enforce the State Building Code.
 - Having no statewide mandatory building code makes West Virginia less competitive for funding under the Federal Emergency Management Agency's (FEMA) Building Resilient Infrastructure and Communities (BRIC) grant.
 - FEMA's mitigation-reconstruction funding requires a structure to be built to the 2015 International Code, but it is not clear who would enforce that requirement in a community that has not adopted a building code.



MEETING NOTES

- ASCE24 is incorporated in the State Building Code.
- The State Fire Commission is the lead agency for the State Building Code.
- The State Fire Marshal's Office issues licenses for building code officials, sets requirements, and investigates complaints.
- There is no mechanism in place for communities to pay for adoption and enforcement of the State Building Code.
- Training for building code officials is conducted online.
- Building and Fire Codes
 - Larger municipalities enforce the State Building Code and the Fire Code.
 - Fire Codes apply to all structures except 1–2 family residential structures.
- Permitting
 - State facilities are exempt from permitting requirements.
 - There is a high degree of variability throughout the State regarding permitting.
 - There is little regulation of areas outside the floodplain. Banks and the insurance industry force people to follow floodplain regulations; people outside regulated areas know little about permitting requirements.
- Stream Work
 - Section 7-1-3u of the West Virginia Code provides authority to counties and municipalities to “rechannel and dredge streams; remove accumulated debris, snags, sandbars, rocks and any other kinds of obstructions from streams; straighten stream channels, and carry out erosion and sedimentation control measures and programs.”
 - A brochure describing what work can be done in a stream would be useful.
 - The WV DEP has authority to enforce environmental requirements.
- There is no disclosure law related to whether a structure is in the floodplain. A seller only has to disclose information that they were provided when they purchased the structure or if someone was murdered in the home in the last seven years. Structure owners do not know about past damages to the structure.

Existing State Plans and Strategies

- The current Flood Protection Plan was adopted in 2004. The SRO has completed its review of the plan, and the SRO Board of Directors are reviewing a document summarizing the review of the plan. After the SRO Board of Directors reviews the review document, the review document will go to the Governor's Office and then the State Legislature for their review. Following the Governor's Office's and State Legislature's reviews and approvals of which recommendations to implement, the SRO will begin updating the Flood Protection Plan.
- The State's Community Development Block Grant (CDBG) – Mitigation (-MIT) Action Plan is being written.
- The WV Department of Transportation (WV DOT) has a capital improvements plan related to highway improvements.
- The West Virginia Department of Commerce maintains a statewide economic development plan.
- Dam Safety
 - There is not a single State Dam Safety Plan.



MEETING NOTES

- WV DEP and the West Virginia Conservation Agency coordinate dam safety in the State. Attendees suggested speaking with the WV DEP Dam Safety office to determine who regulates dam safety statewide.
- The West Virginia State Emergency Operations Plan (EOP) includes dam safety information. The WV EMD Preparedness section is expanding the EOP's dam safety information.
- Local emergency managers often “sign off” on dam Emergency Action Plans (EAP) without thoroughly reviewing them.
- Attendees identified the need for a State Recovery Plan and a plan for coordinating large-scale responses that incorporate multiple State agencies.

Local Capabilities

- Mr. Subbio reviewed local capabilities that were reported in regional HMPs and Jefferson County's HMP. Capabilities information reported in each plan was not consistent across plans.
- The following HMPs did not include any information on local capabilities:
 - Region 2
 - Region 5
 - Region 6
 - Region 8
 - Region 9
 - Region 10
 - Jefferson County
- The following tables identify the number of participating jurisdictions in each region's plan that have the capabilities indicated in effect.
- Region 1

Planning Commission	Mitigation Planning Committee	Chief Building Official	Mutual Aid Agreements	Community Planner	Civil Engineer
6/31	1/31	7/31	7/31	1/31	2/31

- Region 3

Planning Commission	Comprehensive Plan	Floodplain Regulations	Building Department	Zoning Ordinance	Capital Budget	Public Works Budget
25/25	5/25	25/25	9/25	6/25	0/25	25/25

- Region 4

Hazard Mitigation Plan	31/31
Comprehensive Land Use Plan	8/31
Floodplain Management Plan	4/31
Open Space Management Plan (or Parks & Rec/ Greenway Plan)	0/31



MEETING NOTES

Stormwater Management Plan/Ordinance	0/31
Natural Resource Protection Plan	0/31
Flood Response Plan	3/31
Emergency Operations Plan	3/31
Evacuation Plan	2/31
Disaster Recovery Plan	2/31
Capital Improvements Plan	0/31
Economic Development Plan	0/31
Historic Preservation Plan	1/31
Flood Damage Prevention Ordinance	2/31
Floodplain Regulations	31/31
Zoning Ordinance	18/31
Subdivision Ordinance	1/31
Unified Development Ordinance	1/31
Post-Disaster Redevelopment Ordinance	0/31
Building Code	1/31
Fire Code	1/31
National flood Insurance Program	31/31
NFIP CRS	2/31
Planning Commission	31/31
Building Department	2/31

- Region 7

Floodplain Regulations	Zoning Regulations	Subdivision Regulations
31/31	2/31	1/31

- Region 11

Planning Commission	10/10
Comprehensive Plan	3/10
Radiological Emergency Plan	10/10
Floodplain Regulations	9/10
Building Codes	10/10
Zoning Ordinance	4/10
Historic Preservation Plan	1/10
CRS	0/10
Capital Budget	4/10
Public Works Budget	1/10
Community Economic Development Strategy	10/10

- Officials in communities that have plans in place may not be aware that the plans exist, so the above tables may not be completely accurate.
- The State should identify which capabilities to require jurisdictions to report in local HMPs.



MEETING NOTES

- Funding for staffing at the local level is low.
- Smaller communities do not have many plans or regulations in place.
- Attendees felt that floodplain regulations were the most effective in reducing vulnerability.
- Property acquisition projects are effective in reducing vulnerability to disaster, but they may remove critical infrastructure (e.g., the only grocery store in a community).
- Insurance premium increases related to Risk Rating 2.0 were painful to many people in the State.
- Communities need support in conducting benefit-cost analyses.
- Disparities among the State's communities are related to local capability and capacity.
 - Local officials fill too many roles (i.e., wear too many hats).
 - There is high turnover of local officials.
 - Use of technology varies. Communities in the north are more adept with electronic communication than areas in the south.
- Mr. Edwards recommended that more local communities in the State pursue the NWS Storm Ready certification. Attaining this certification may be relatively easy for many communities. It does not require much extra funding; participants support annual training that can be conducted by NWS staff, and the program requires schools have weather radios, especially if they are in areas without cellular coverage. He stated that most counties already meet the requirements.

Funding Resources

- Attendees discussed the following federal funding streams:
 - FEMA Hazard Mitigation Assistance (HMA)
 - Traditionally, the State has paid the non-federal share of HMA awards. Now, the State requires local communities to show how they can find the non-federal share funding.
 - FEMA Rehabilitation of High Hazard Potential Dams (HHPD) grant program
 - FEMA Safeguarding Tomorrow Revolving Loan Fund Program
 - Small Business Administration loans
 - U.S. Army Corps of Engineers (USACE) technical assistance
 - USACE is studying the Kanawha River's entire watershed. Three more hydrologic and hydraulic (H&H) studies are slated for implementation.
 - Infrastructure Investment and Jobs Act (IIJA) funds
- Attendees reported that the State does not have any of its own funding streams specifically for mitigation purposes.

Coordination

- Mr. Subbio stated that Tetra Tech will collect information on coordinating floodplain management from Mr. Timothy Keaton separately since he was not able to attend the meeting.
- Attendees stated that assistance provided by the FEMA Integration Team (FIT) has been beneficial.
- WV EMD and SRO staff collaborate regularly.
- Annual risk reduction consultations are being re-established.



MEETING NOTES

- WV EMD reported that staff are building relationships with colleagues in other State departments and agencies.
- WV EMD is developing stronger relationships with the regional planning and development commissions through in-person visits and regular coordination calls.

Next Steps and Questions

Mr. Subbio reviewed the following next steps in the HMP update process with attendees:

- Tetra Tech will work with Mr. Reed to distribute the stakeholder surveys.
- Tetra Tech will complete the risk assessment.
- Tetra Tech will work with the Steering Committee to set the goals and objectives for the updated HMP.

With no further questions, Mr. Reed and Mr. Subbio thanked attendees for their time and participation.

The meeting adjourned at 12:00 p.m.

**State of West Virginia
2023 Hazard Mitigation Plan
Update**

State Planning Team
Capabilities Assessment Meeting
November 9, 2022

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Welcome!

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Agenda

- State Legal and Regulatory Environment
- Existing State Plans and Strategies
- Local Capabilities
- Coordination
- Funding Resources
- Next Steps and Questions

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**State Legal and Regulatory
Environment**

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State Legal and Regulatory Environment

- Laws and Regulations
 - Land Use Laws
 - Building Codes and Enforcement
 - National Flood Insurance Program (NFIP) Coordination
 - Others
- What laws or regulations need to be developed to reduce vulnerability?
- What challenges to effective enforcement exist?


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**Existing State Plans and
Strategies**

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Existing State Plans and Strategies

- Existing Plans and Strategies
 - Flood Protection Plan and Update
 - Dam Safety Plan
 - Other
- What plans or strategies need to be developed to reduce vulnerability throughout the State?



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Local Capabilities




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Local Capabilities

- Capabilities in Local HMPs
 - Not described
 - Region 2
 - Region 5
 - Region 6
 - Region 8
 - Region 9
 - Region 10
 - Jefferson County



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Local Capabilities

- Region 1

Planning Commission	Mitigation Planning Committee	Chief Building Official	Mutual Aid Agreements	Community Planner	Civil Engineer
6/31	1/31	7/31	7/31	1/31	2/31
- Region 3

Planning Commission	Comprehensive Plan	Floodplain Regulations	Building Department	Zoning Ordinance	Capital Budget	Public Works
25/25	5/25	25/25	9/25	6/25	0/25	25/25




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Local Capabilities

- Region 4

Hazard Mitigation Plan	31/31
Comprehensive Land Use Plan	8/31
Floodplain Management Plan	4/31
Open Space Management Plan (or Parks & Rec/ Greenway Plan)	0/31
Stormwater Management Plan/Ordinance	0/31
Natural Resource Protection Plan	0/31
Flood Response Plan	3/31
Emergency Operations Plan	3/31
Evacuation Plan	2/31
Disaster Recovery Plan	2/31
Capital Improvements Plan	0/31
Economic Development Plan	0/31
Historic Preservation Plan	1/31




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Local Capabilities

- Region 4

Flood Damage Prevention Ordinance	2/31
Floodplain Regulations	31/31
Zoning Ordinance	18/31
Subdivision Ordinance	1/31
Unified Development Ordinance	1/31
Post-Disaster Redevelopment Ordinance	0/31
Building Code	1/31
Fire Code	1/31
National flood Insurance Program	31/31
NFIP CRS	2/31
Planning Commission	31/31
Building Department	2/31




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Local Capabilities

- **Region 7**

Floodplain Regulations	Zoning Regulations	Subdivision Regulations
31/31	2/31	1/31




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Local Capabilities

- **Region 11**

Planning Commission	10/10
Comprehensive Plan	3/10
Radiological Emergency Plan	10/10
Floodplain Regulations	9/10
Building Codes	10/10
Zoning Ordinance	4/10
Historic Preservation Plan	1/10
CRS	0/10
Capital Budget	4/10
Public Works Budget	1/10
Community Economic Development Strategy	10/10




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Local Capabilities

- What local capabilities are most effective in reducing vulnerability?
- What support do local governments need from the State?
- What disparities exist in different regions of the State? In underserved communities?
- What capabilities exist at the local level to address the impacts of climate change?



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Funding Resources




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Funding Resources

- **Federal**
 - FEMA Hazard Mitigation Assistance
 - FEMA CAP-SSSE and CTP
 - FEMA Public Assistance
 - Natural Resources Conservation Service
 - Federal Highway Administration
 - U.S. Army Corps of Engineers




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Funding Resources

- **Interstate**
 - Appalachian Regional Commission
- **State**
 - WV Department of Environmental Protection Stream Partners Program
 - WV Department of Economic Development - U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG)




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Funding Resources

- What other federal funding sources could be leveraged?
- What other State funding sources could be leveraged?
- What funding do local governments rely on to reduce vulnerability?



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Coordination




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Coordination

- How is floodplain management coordinated across the State?
- How do State agencies coordinate activities related to hazard mitigation?
- How do State agencies work with regions and local governments to reduce vulnerability?



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Next Steps and Questions




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Next Steps

- Stakeholder surveys
- Complete risk assessment
- Set goals and objectives




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Questions?

Thank you for your time!



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AGENDA

STATE OF WEST VIRGINIA 2023 HAZARD MITIGATION PLAN UPDATE State Planning Team Capabilities Assessment Meeting

November 9, 2022 | 9:00 a.m. – 12:00 p.m.

1. Welcome and Introductions	9:00 – 9:15
2. State Legal and Regulatory Environment	9:15 – 9:50
a. Land Use Laws	
b. Building Codes and Enforcement	
c. National Flood Insurance Program Coordination	
3. Existing State Plans and Strategies	9:50 – 10:20
a. Flood Plan	
b. State Resilience Strategy	
c. Other	
4. Break	10:20 – 10:30
5. Local Capabilities	10:30 – 10:55
6. Funding Resources	10:55 – 11:20
a. Federal	
b. State	
c. Local	
7. Coordination	11:20 – 11:45
a. Coordination Among State Agencies	
b. Coordination with Regions and Local Government	
8. Next Steps and Questions	11:45 – 12:00





STATE OF WEST VIRGINIA 2023 HAZARD MITIGATION PLAN UPDATE
 State Planning Team Capabilities Assessment Meeting

SIGN-IN

November 9, 2022 | 9:00 a.m. - 12:00 p.m.

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STATE OF WEST VIRGINIA 2023 HAZARD MITIGATION PLAN UPDATE
State Planning Team Capabilities Assessment Meeting

SIGN-IN

November 9, 2022 | 9:00 a.m. – 12:00 p.m.

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