

## 6.0 IMPLEMENTATION PROGRAM

### 6.1 INTRODUCTION

Plan implementation is a vitally important aspect of the overall program. Without an implementation program, the Plan either “gathers dust on the shelf” or lags along implementing projects incrementally based more on agencies or individuals interest than on a prioritized need basis. Discussed below are issues related to the organizational arrangement and administrative responsibility, the role of the Working Group, plan monitoring, funding, and plan update process.

### 6.2 INSTITUTIONAL ARRANGEMENT

The creation of a disaster resistant community is achieved once the concept becomes part of the mindset and fabric of the private and public sectors of a community. Effective implementation requires the strong support of the locally elected body. In addition, it requires an advocate. Someone or group who believes the issue to be essential to the long-term sustainability of the community. This individual or group of individuals continually is reassessing the vulnerabilities of the community, and identifying potential strategies and partners to address the vulnerability(s) and means to affecting change whether it be a bricks and mortar project or implementing a new programmatic initiative or modification to existing codes or plans.

This section describes the comprehensive organizational arrangement required to effectively implement the countywide Local Mitigation Strategy (LMS) program. It also describes the administrative framework that defines the roles and responsibilities of those at the staff level who carry out activities on a daily basis the lead to the implementation of the LMS.

#### 6.2.1 Organizational Structure

The LMS organizational structure consists of several levels (see **Figure 6.1, LMS Organization Structure**). Heading the effort is the LMS Working Group. This group must have broad representation to be effective. It should embrace all stakeholder groups in the county from both the public and private sectors. Therefore when the Indian River County Working Group was created representatives were chosen so that all affected groups would have representation in the planning process and in the on-going implementation of the LMS. The Working Group interacts directly with the County Commission and the general public. The Indian River County Department of Emergency Services (DES) staff provides direct support to the Working Group. In addition, the DES is the liaison to the Florida Division of Emergency Management within the Department of Community Affairs and the Emergency Preparedness and Response, Department of Homeland Security previously known as the Federal Emergency Management Agency (FEMA).

#### 6.2.2 Administrative - Lead Responsibility

The Director of the Department of Emergency Services (DES) shall be the individual responsible for implementing, monitoring, and updating this LMS. As depicted in **Figure 6.1**, for the Director of DES must interact with the County Administrator on a frequent

basis, reporting on the progress of the implementation program, obstacles or problems that have delayed the implementation program, and ideas or alternative options to overcome the obstacles and/or problems being encountered.

Responsibilities of the Director of DES will be:

- Be *THE* Hazard Mitigation Advocate at staff level;
- Keep Current with all Changes in LMS/DMA2K programs;
- Interact frequently with Florida Division of Emergency Management County Liaison;
- Work closely with the LMS Chairperson; Organize meetings of the Working Group; Coordinate and contact with all members of the Working Group on a regular basis; Maintain avenues of communication with the general public; Setting up and maintaining files documenting progress of LMS program; Updating the PPL as needed; and Coordinate 5 year LMS update

### **6.2.3 Administrative - Support Responsibility**

Successfully implementing the LMS is not the sole responsibility of Department of Emergency Services – it is the responsibility of all participating organizations. Participating organizations from both the public and private sectors can fulfill administrative responsibility in a number of ways including:

- Promote and educate others about the significance of local hazard mitigation;
- Interact and coordinate frequently with LMS Coordinator;
- Manage mitigation projects or activities;
- Provide support assisting other organizations implement their mitigation projects or activities;
- Disseminate hazard mitigation-related information to their constituents;
- Document the progress of your organization’s hazard mitigation activities; and
- Make available to LMS Coordinator new data and information relevant to the LMS process.

Below is an example of providing support to other organizations managing, for instance, an all-hazard public awareness/education program. While it may be the responsibility of the DES to see that the project is implemented, other organizations such as the County Fire Rescue, American Red Cross, Indian River County School District, even homeowner associations could serve in a support role designing such a program. Supporting organizations can assist in making sure that its members or member organization publicize and disseminate the program information generated as a result of the development of the public awareness/education program.

## **6.3 IMPLEMENTATION STRATEGY**

The implementation strategy is based on information gathered from the Working Group as well as key community stakeholders and citizens. The hazards and community issues identified as well as the community’s institutional analysis are used to determine the best means to implement mitigation strategies in Indian River County. The implementation strategy includes the goals and objectives identified by the Working Group as well as a list of prioritized mitigation activities.

### **6.3.3.1 Goals and Objectives**

In formulating the goals and objectives, appropriate plans, policy statements, laws, codes, and ordinances from each participating local government have been reviewed. With multiple local governmental entities involved in defining a community-wide vision, this becomes a complex process. To help clarify the process, a facilitated discussion with the Working Group was conducted, and a comprehensive list of the areas where disasters affect the community was developed. The list included the following:

- Loss of life;
- Loss of property;
- Community sustainability;
- Health/medical needs;
- Temporary sheltering;
- Food and water;
- Communication;
- Housing;
- Historical structures;
- Adverse impacts to natural resources (e.g., beaches, water quality);
- Economic disruption;
- Fiscal impact;
- Recurring damage;
- Damage to repair to public infrastructure (e.g., roads, water systems, sewer systems, stormwater systems, electrical power);
- Debris removal;
- Redevelopment/reconstruction;
- Development practices;
- Environmental damage;
- Intergovernmental coordination; and
- Mental health counseling.

Along with these general hazard impacts, specific issues related to preparing for, mitigating against, responding to, and recovering from disasters were identified by the Working Group. The issues identified are summarized below.

- Trade off between flood protection and water quality
- Public infrastructure at risk from flooding
- Connections between County and St. Johns River Water Management District's Stormwater Management Plans
- Catastrophic events surpass what is planned for in current stormwater management plans
- Bridges and transportation facilities are built to withstand a typical 100 year storm
- The Town of Orchid is not a participant in the CRS program
- Coordination between government entities and private developments and homeowner associations
- Only the County and Sebastian have pre-arranged contracts for debris removal following an event
- Linkage between the County and municipal Emergency Management Plans
- Law Enforcement needs an upgraded firing range
- Including additional utility providers a place at the Emergency Operations Center

- Need to revisit emergency plans and operations with various county and municipal entities
- Public awareness about livestock relocation
- Public awareness about including safe room construction into new developments
- Several roadways suffer from chronic flooding and need additional outfall capacity or flood storage
  - 35<sup>th</sup> Avenue south of 12<sup>th</sup> Street;
  - US 1 at 10<sup>th</sup> Street;
  - CR 512 at North County Park;
  - 27<sup>th</sup> Avenue between 4<sup>th</sup> Street and 5<sup>th</sup> Street; and
  - Old Dixie Highway between 4<sup>th</sup> Street and Oslo Road.
- Several areas on the barrier island are in need of beach nourishment including:
  - The Summerplace subdivision;
  - South Beach – Sector 7 – Porpoise Point; and
  - Sanderling Subdivision.
- The FEC railroad blocks traffic to the hospital when the train passes. Grade separated overpasses located at 41<sup>st</sup> Street, Aviation Boulevard and 33<sup>rd</sup> Street, and 4<sup>th</sup> Street would help alleviate the problem.
- Funding for protracted incidents.
- Unexploded military ordnance disposal is time consuming because assistance must be requested from nearby service providers. The County could benefit from having its own bomb disposal unit.

These concerns, along with information generated from the inventory of local planning documents and ordinances, resulted in the following goals and objectives for all hazard mitigation planning in Indian River County.

The Indian River County LMS Working Group identified the following goals and objectives. The goals and objectives were selected because of their ability to address community issues that were identified earlier in the mitigation planning process. **Goals** as defined by FEMA are general guidelines that explain what you want to achieve. They are usually broad policy statements, and are long-term in nature. **Objectives** as defined by FEMA are strategies or implementation steps to attain the identified goals. Unlike goals, objectives are specific and measurable. The goals and objectives define the broad direction of the mitigation strategy and provide the focus for developing and adopting mitigation projects and activities. Projects implementing the stated goals and objectives are detailed further in **Table 6.1**.

Goal 1. To minimize the loss of life and property and repetitive loss.

Objective 1.1 Create and maintain current an all-hazards data base.

**Project # 1.1.1** Mapping and assessment of public wellfields and reverse osmosis plant protection zones to guard against groundwater contamination

**Project # 1.1.2** Improved mapping of the Coastal High Hazard Area to allow for better and more precise implementation of County regulations related to the development within that area

**Project # 1.1.3** Establishment of a county GIS department to improve flood mapping for flood damage reduction

**Project # 1.1.4** Update annually, list of critical facilities and depict them on all appropriate hazard risk maps

Objective 1.2 Restore or protect waterfront areas susceptible to erosion

**Project #1.2.1** Acquisition of land along the Indian River Lagoon within the Coastal High Hazard Area to reduce potential future losses

**Project # 1.2.2** Re-vegetating areas along the banks of the Indian River Lagoon to offer protection from hurricanes, floods and erosion

**Project # 1.2.3** Stabilization of Jungle Trail along the Indian River Lagoon to improve public access and reduce erosion

**Project # 1.2.4** Restoration of critically eroded areas along an 8.3-mile stretch of the Atlantic shoreline in an effort to provide needed storm protection

Objective 1.3 Improve local roadways to ensure safe, efficient evacuation

**Project # 1.3.1** Improvements to CR 512 for improved traffic access and emergency evacuations

**Project # 1.3.2** Improvements to 53<sup>rd</sup> St. (East-West connector) for improved traffic access and emergency evacuations

**Project # 1.3.3** Replacement of county bridges constructed below the 100-year flood plain for improved access, evacuation and exposure to flooding

**Project # 1.3.4** Elevation of grade crossing over RR at 41<sup>st</sup> St. for improved traffic access and emergency evacuation

**Project # 1.3.5** Establishment of an Olso Rd./I-95 interchange for improved traffic access and emergency evacuations

Objective 1.4 Reduce the potential threat of wildland fires.

**Project # 1.4.1** Conduct prescribed burns in certain conservation areas vulnerable to wildfire

Objective 1.5 Increase primary shelter space and supplies to meet stated need.

**Project 1.5.1** Purchase of shelter supplies for the City of Vero Beach Recreation Facility (a secondary critical facility)

**Project 1.5.2** Construct the new Vero Beach Senior Center so it can serve as a primary shelter.

Goal 2. To achieve safe and fiscally sound, sustainable communities.

Objective 2.1 Ensure that local planning and development matters address hazard mitigation

Objective 2.2 Retrofit critical facilities

**Project # 2.2.1** Retrofits to the City of Vero Beach Transmission and Distribution (a secondary critical facility) to reduce vulnerability to wind and flood damage

**Project # 2.2.2** Retrofits to the City of Vero Beach Recreation Facility (a secondary critical facility) to reduce vulnerability to wind and flood damage

**Project # 2.2.3** Retrofits to the Town of Indian River Shores (a critical facility) to reduce vulnerability to wind and flood damage

**Project # 2.2.4** Retrofits to the City of Vero Beach Police Department (a critical facility) to reduce vulnerability to wind and flood damage

**Project # 2.2.5** Retrofits to the City of Fellsmere library for flood damage reduction

**Project # 2.2.6** Retrofitting of an existing structure (old school) to provide for an EOC and emergency shelter in the City of Fellsmere

**Project # 2.2.7** Retrofits to the North County Library to reduce vulnerability to wind and flood damage

**Project # 2.2.8** Retrofits to the county's main library to reduce vulnerability to wind and flood damage

**Project # 2.2.9** Retrofits to the county's public schools, which serve as public shelters, to reduce vulnerability to wind and flood damage; thereby reducing the county's safe shelter deficit

**Project # 2.2.10** Purchase of an emergency generator for the Town of Indian River Shores (a critical facility)

**Project # 2.2.11** Alterations to an existing critical facility, located in Indian River Shores, for protection of computer equipment, important documents, and other property

Objective 2.3 Prepare informational materials regarding the importance of hazard mitigation.

**Project # 2.3.1** Establishment of a public education program on the importance of maintaining drainage systems

Goal 3. To minimize economic disruption and ensure orderly, effective recovery and redevelopment.

Objective 3.1 Promote the importance of creating disaster resistant businesses

**Project 3.1.1** Seek speaking engagements before chambers of commerce.

**Project 3.1.2** Promote the use of the website, "Surviving the Disaster"

**Project 3.1.3** Develop Private Sector ESF

Objective 3.2 Develop a program to reduce the length of economic disruption following a major hazard event.

**Project # 3.2.1** Develop a Post-Disaster Redevelopment Plans

## **6.5 PLAN MONITORING**

Once the LMS is adopted by participating local governments, monitoring the progress of plan implementation is extremely important. It is through the monitoring process that the Working Group can determine whether or not implementation is occurring as originally envisioned. Determining whether or not the implementation timeframes are being met is critical. The monitoring process may be more important in identifying why actions/initiatives are not occurring. The identification of obstacles to implementation is also important. Funding cutbacks, unsuccessful competitive grant applications, staff changes (e.g., key individual resigns or reassigned to new job, unexpected design problems, unexpected complexity in securing permits, lose commitment of partner agencies/organizations) can have significant impacts on implementing the LMS. Certain events or circumstances can alter the traditional means of operation, as was the case following September 11<sup>th</sup>. Changes such as this make plan monitoring important in keeping the LMS current.

### **6.5.1 Process**

**STEP 1** Each quarter, the designated contact for all mitigation projects or initiatives identified on the PPL will report progress to the DES Director. For the first and third quarter, the point of contact will complete a Individual Project Progress Report - Form#1 for each project and submit it to the DES Director. For the second and fourth quarters, an informal progress check-in will take place between the point of contact and the DES Director. The point of contacts will also be responsible for submitting any supporting documentation such as newspaper articles or other relevant media.

STEP 2 Based on the submitted progress report forms and progress check-ins, the DES Director will complete quarterly progress reports for the overall LMS program and present it to the elected boards of the County and municipalities.

STEP 3 At the end of each year, the DES Director will prepare an Annual LMS Report .- Form#2.. The Annual Report will be presented to the elected boards of the County and municipalities. It is important that the Annual Report, not just be placed on the consent agenda of each local government, but a formal presentation be made where, not only is the status reported, but the elected officials have an opportunity to ask questions about the program.

STEP 4 Besides reporting to local governments, DES staff and/or Chair of the LMS Working Group will be available to make similar presentations to private sector organizations, non-profit organizations (e.g., Council on Aging, chambers of commerce) and community organizations (e.g., Kiwanis, Rotary, Lions).

## **6.6 UPDATING THE PLAN**

There are two updating processes connected to the LMS. One describes how the Project Prioritization List is updated annually. A detailed description of the PPL updating procedure is provided below. The second updating process, involves the five-year update of the entire LMS.

### **6.6.1 Project Prioritization List**

At the heart of the LMS is the Project Prioritization List (PPL). The PPL is a rank order of priority projects that if implemented will result in a more disaster resistant community. Because projects are completed, new needs surface, new funding opportunities arise, and dramatic events occur that affect priorities, it is important that the PPL be a dynamic document. For this reason, the window to submit projects to the PPL will always be open. The following sections identify the multi-step prioritization methodology.

#### **6.6.1.1 Methodology**

Potential LMS mitigation projects and activities will be evaluated based on the following four criteria:

1. Which goal(s) the project addresses;
2. Which hazard(s) the project addresses;
3. Whether or not the project is supported in a plan or policy of the jurisdiction (i.e. Comprehensive Growth Management Plan, Comprehensive Emergency Management Plan, Stormwater Management Plan, etc); and
4. Does the project address an immediate threat to public health, safety, and welfare?

In order to evaluate the projects, the Working Group must first establish the priority goals and hazards using the following methodology. The process listed below will be followed during each update of the LMS.

Each Working Group member ranks the goals and hazards below using the ranking methodology described below.

**6.6.1.2 Prioritization Process**

Please prioritize the following LMS goals using the following methodology. Rank Indian River County LMS goals, by placing a 1, 2, or 3 next to the goals according to the following priority ranking. Place a 1 next to the goal highest priority in the County. Place a 2 next to the goal with the second highest priority in the County. Place a 3 next to the goal with the third highest priority.

Goal	Rank
Minimize the loss of life, property, and repetitive loss	
Achieve safe and fiscally sound, sustainable communities	
Minimize economic disruption and ensure orderly, effective recovery and redevelopment	

Please prioritize the following hazards using the following methodology. Rank the top five hazards facing Indian River County, by placing a 1, 2, 3, 4, or 5 next to the hazard according to the following priority ranking. Place a 1 next to the hazard highest priority in the County. Place a 2 next to the hazard with the second highest priority in the County. Place a 3 next to the hazard with the third highest priority. Place a 4, next to the hazard with the fourth highest priority. Place a 5 next to the hazard with the fifth highest priority. Leave all other hazards blank.

Hazards	Rank
Agricultural Pest & Disease	
Civil Disturbance	
Communication Failure	
Drought	
Epidemic	
Erosion	
Extreme Temperature	
Flooding	
Hazardous Materials Accident	
Hurricane/Tropical Storm	
Immigration Crisis	
Military Ordnance	
Power Failure	
Radiological Hazards	
Seismic (Sinkholes, Earthquakes, Dam/Levee Failure)	
Terrorism/Sabotage	
Thunderstorm/Lightning	
Tornado	
Transportation System Accident	
Wellfield Contamination	
Wildland Fire	

**6.6.1.3 Prioritization Scoring**

The rankings above will be translated into scores so that priority can be determined. Once the Working Group has ranked the goals and hazards, staff will convert the rankings into numerical scores as follows:

#### Goals

Rank #1 – 5 points

Rank #2 – 3 points

Rank #3 – 1 point

The goal with the most points will be the highest priority goal, the goal with the second highest points will be the second highest priority goal, and the goal with the lowest points will be the third priority goal.

#### Hazards

Rank #1 – 50 points

Rank #2 – 40 points

Rank #3 – 30 points

Rank #4 – 20 points

Rank #5 – 10 points

The rankings given to each hazard will be converted into the points listed above. The total points for each hazard will be added. The hazard with the highest score, will be the highest priority hazard and so on. Those hazards that do not receive any rankings will be grouped together as “non-immediate” priority hazards.

#### **6.6.1.4 Project Evaluation**

The process above results in a prioritized list of goals and hazards, from here, the projects or mitigation activities can be evaluated and ranked based on the following criteria:

- 1. Which goal(s) the project addresses;**
2. Which hazard(s) the project addresses;
3. Whether or not the project is supported in a plan or policy of the jurisdiction (i.e. Comprehensive Growth Management Plan, Comprehensive Emergency Management Plan, Stormwater Management Plan, etc); and
4. Does the project address an immediate threat to public health, safety, and welfare?

Any organization interested in submitting a project for the PPL must complete a project submission form. The form will include questions regarding the above criteria. Proposers will be asked to identify which goal(s) the project addresses, which hazard(s) the project addresses, cite supporting evidence from other plans, and document how the project addresses the issue of public health, safety, and welfare. DES staff will apply the criteria listed above to projects that are up for consideration for the LMS PPL. Each project will be scored according to the point system below. Projects will be listed on the PPL ranked according to their total evaluation score. The project with the most points, will be ranked first.

The Working Group prioritized the goals in the following order:

1. Minimize the loss of life, property, and repetitive loss
2. Minimize economic disruption and ensure orderly, effective recovery and redevelopment
3. Achieve safe and fiscally sound sustainable communities

The Working Group prioritized the hazards in the following order:

1. Hurricane / Tropical Storm
2. Wildland Fire
3. Flooding
4. Tornado
5. Hazardous Materials Accident
6. Transportation System Accident
7. Power Failure
8. Communication Failure
8. Terrorism / Sabotage
8. Thunderstorm / Lightning
9. Erosion
10. Immigration Crisis
10. Radiological Hazards
10. Wellfield Contamination
11. Agricultural Pest & Disease
11. Civil Disturbance
11. Drought
  - Economic Collapse
  - Epidemic
  - Extreme Temperature
  - Military Ordnance
  - Seismic (Sinkholes, Earthquakes, Dam / Levee Failure)
  - Societal Alienation
  - Substance Abuse

Bulleted hazards indicate that no priority score was given, therefore, the hazard is a “non-immediate priority” hazard.

1. Minimize economic disruption and ensure orderly, effective recovery and redevelopment
2. Achieve safe and fiscally sound sustainable communities

#### Project Scoring

Project addresses:

Multiple goals	= 10 points
Highest priority goal	= 5 points
2 <sup>nd</sup> highest priority goal	= 3 points
3 <sup>rd</sup> highest priority goal	= 1 point

Project addresses:

Multi-hazard project	= 10 points
1 <sup>st</sup> Highest priority hazard	= 5 points
2 <sup>nd</sup> Highest priority hazard	= 4 points
3 <sup>rd</sup> Highest priority hazard	= 3 points
4 <sup>th</sup> Highest priority hazard	= 2 points
5 <sup>th</sup> Highest priority hazard	= 1 point
Addresses a “non immediate” hazard priority	= 0 points

Project is:

Project supported in multiple plans or policies	= 10 points
Project supported in a plan or policy	= 5 points
Project not supported in the CGMP	= 0 points

Addresses Issues of Public Health, Safety, and Welfare (PHSW)

Project addresses PHSW	= 5 points
Project does not address PHSW	= 0 points

The maximum score for a project is 35 points which would be received by a project that addresses multiple goals and hazards, is supported by multiple plans and policies, and addresses issues related to public health, safety, and welfare.

The scores for the four criteria will be added together. The total scores for each of the four criteria will be the bases of the ranked list of projects. The projects with the highest score will be ranked first on the PPL.

After the total scores have been determined, a revised PPL will be developed by listing the projects in ranked order according to score.

The LMS PPL will set the priorities for mitigation projects within the County, but it is important to note that given funding availability, changes in political will, or the occurrence of a disaster, priorities may shift.

#### **6.6.1.5 Tie Break Methodology**

This project prioritization methodology will most likely result in tie scores for projects that address the same hazards. For instance most stormwater management projects will address the same goals and hazards, resulting in tie ranking scores. Because of this, it is important to develop a tie-break methodology.

For projects with identical ranking scores that address different hazards, the project that addresses the highest priority hazard shall be ranked higher. For instance, if a tornado project and a hazardous materials accident project received identical ranking scores, the tornado project would be ranked higher because it's overall hazard priority is higher than hazardous materials accidents.

For projects with identical ranking scores that address the same hazards, the projects will be listed with the same score and when potential funding becomes available, the priority decision will be assigned to the County Commission or City Council. For example, if five stormwater management projects received identical ranking scores and that ranking score would place the project as the fifth highest project on the PPL, they would be ranked as follows, 5a, 5b, 5c, 5d, and 5e. At the time that funding becomes available, the governing body will make the decision as to which of the five projects should receive funding based on the following criteria:

1. Does the project positively impact hurricane evacuation in the project area?
2. How many people will benefit from this project?

## **6.6.2 Comprehensive Update**

The LMS planning process is dynamic and results in the development of a set of prioritized projects and initiatives with the aim of mitigating hazard impacts. To ensure this Local Hazard Mitigation Strategy remains consistent with current community issues and characteristics, it is important that it be periodically reviewed and updated.

In developing this updating process, three key sources were consulted to shape the process and procedures developed herein: Section 163.3191, Florida Statutes; the evaluation and appraisal process of local government comprehensive plans; the American Red Cross, Ten-Step Informative Model; and the Federal Emergency Management Agency's Disaster Mitigation Act of 2000 (DMA2K) local mitigation planning requirements. A key objective in the development of the process was to keep it from being excessively bureaucratic and cumbersome.

The LMS update process will occur on a five year cycle as is recommended by FEMA's DMA2K. The Working Group indicated that there needed to be some abbreviated reassessment of the Strategy following a Disaster Declaration.

The LMS update procedures will be initiated and carried out by the Director of DES. Both the regular, five-year, Strategy update processes, as well as the abbreviated review process applicable following a Disaster Declaration, are depicted in **Figure 6.2**

### **6.6.2.1 Regular LMS Update Procedures**

The regular updating process will occur every five years. The administrative steps, as described below, constitute the procedures that will be followed.

- STEP 1 The Director of DES will activate the update process in January of the fourth year of the update cycle by notifying each member of the Working Group of an initial organizational meeting. At that time, the DES requests information updates on those serving on the Working Group (name of person, address, telephone and fax number, and e-mail address, if available).
- STEP 2 The Director of DES prepares meeting agenda in coordination with the Chairman of the Working Group to be distributed in advance of the meeting to members of the Working Group.
- STEP 3 Working Group meeting held. A brief review of the updating process is discussed. A discussion of whether the evaluation criteria are still appropriate or whether modifications or additions are needed due to changing conditions over the period since the last update process occurred. The data needs will be reviewed, data sources identified, and responsibility for collecting information assigned to members.
- STEP 4 A draft report prepared. Evaluation criteria to be addressed include the following:
- A. Changes in the community and government processes which are hazard-related and have occurred since the last Strategy review;
    - 1. Community Change
      - a. Growth and development in vulnerable areas;
      - b. Impact of actions resulting from growth that adversely affect natural resources in vulnerable areas, such as seawalling, beach erosion, heightening deposition in inlets;
      - c. Demographic changes;
      - d. New hazards identified;
      - e. Changes in community economic structure; and
      - f. Special needs population changes.
    - 2. Government process changes
      - a. New or changing laws, policies, and regulations;
      - b. Changes in funding sources or requirements;
      - c. Change in priorities for implementation;
      - d. Changes in government structure; and
      - e. Shifts in responsibility and mitigation committee resources.
  - B. Progress in implementing LMS initiatives and projects - the Strategy initiatives and projects as compared with actual results at the date of the report;
  - C. Effectiveness of the implemented initiatives and projects;
  - D. Evaluation of unanticipated problems and opportunities that have occurred between the date of adoption and date of report;
  - E. Evaluation of hazard-related public policies, initiatives, and projects;

F. Assess the effectiveness of public and private sector coordination and cooperation.

- STEP 5 The Director of DES determines best method to solicit public input. The Director of DES is responsible for public noticing/advertising requirements. All Working Group members are informed and requested to attend public meeting.
- STEP 6 A public meeting is held. The Director of DES or a representative of the Working Group presents findings, conclusions, and recommendations of Strategy effort. Public comments are recorded.
- STEP 7 The Director of DES distills and synthesizes public comments in memorandum.
- STEP 8 The Director of DES coordinates and organizes second meeting of Working Group. The draft Strategy update report is distributed to each participant seven days prior to the meeting. The Working Group meeting is held. Consensus is reached on changes to the draft. If agreement can not be reached by certain local governments on certain issue(s) and/or project prioritization(s), the conflict resolution process (**Section 6.7**) may be triggered for those specific items parties cannot agree upon. A vote is taken securing approval of the draft Strategy Update Report, contingent upon integrating Working Group comments into draft report.
- STEP 9 The Director of DES incorporates modifications/additions resulting from Working Group meeting.
- STEP 10 The Director of DES finalizes the Strategy Update Report. Copies are distributed to Working Group members.
- STEP 11 Each jurisdictional representative presents the updated Strategy to their respective governing body, and other interested parties. If there are new or modified recommendations that their local government could implement to further the countywide Strategy, member seeks direction from governing body to implement appropriate strategies.
- STEP 12 The final updated LMS is formally adopted by all of the participating jurisdictions
- STEP 13 The Final updated LMS is forwarded on to the State Hazard Mitigation Officer at the Florida Division of Emergency Management and then to FEMA Region IV for review.

#### **6.6.2.2 Declared Emergency Assessment**

- STEP 1 Within six months following a Disaster Declaration, the Director of DES will initiate a post disaster review and assessment. The Director of DES will activate the assessment by appointing a Strategy Update Subcommittee. Each member of the Strategy Update Subcommittee will be notified that the assessment process is being commenced.
- STEP 2 The Director of DES, through the Strategy Update Subcommittee will draft a Technical Report. The purpose of the report is to document the facts of the event,

and assess whether the Strategy effectively addressed the hazard. The Report should contain, at a minimum, the following:

- A. Identification of whether the hazard creating the declared emergency has been addressed in the Strategy;
- B. Documentation of the event: the magnitude of the event, aerial extent of damages, specific damages sustained (public infrastructure [e.g., potable water and wastewater treatment plants and collection systems] and private infrastructure [e.g., utilities, power]);
- C. Discussion of impacts to the private sector, such as obstacles to recovery, utilization of local vendors, deficits in types of products needed, accessibility of vendor suppliers, demand for space for temporary relocation, local business contingency plans, etc.;
- D. Analysis of effectiveness of coordination among institutional entities (e.g., local governments, Council on Aging, Indian River County Health Department, medical facilities, Florida Power & Light Company, Southern Bell, Red Cross, Salvation Army, South Florida and St. Johns River Water Management Districts, FDCA, Florida Department of Transportation), and make recommendations, as necessary;
- E. Evaluation of the accuracy of the hazard vulnerability and risk assessment in Strategy relative to actual event;
- F. Identification of Strategy initiatives/projects that had been implemented to mitigate impacts of the type of flooding hazard creating the emergency event, and evaluate effectiveness.
- G. Discussion of unanticipated impacts, and identification of potential mitigation measures; and
- H. Synthesis of information and prepare conclusions. Recommendation of whether the Strategy needs to be amended.

STEP 3 The Director of DES schedules a meeting of Working Group and distributes copies of the draft Technical Report prior to the meeting.

STEP 4 A meeting of the Working Group is held. Members discuss the Report findings, conclusions, and recommendations, and determine whether the Strategy needs to be modified.

STEP 5 If the conclusion is that NO modification is needed for the Strategy, the Report is approved and transmitted to local governments.

STEP 6 If it is determined that the Strategy is to be amended, the Working Group prepares Draft Amended Strategy. The Amended Strategy should do the following:

- A. Utilize information from the Technical Report;

- B. Provide justification of the need to amend the Strategy;
- C. Contain a review and analysis of existing Strategy Initiatives/Projects in light of new Initiatives/Projects recommended in Technical Report; and
- D. Include a re-prioritization of Initiatives/Projects.

- STEP 7 A draft Amended Strategy is provided to each member of the Working Group one week in advance of the scheduled meeting.
- STEP 8 A meeting of Working Group held. Draft Amended Strategy is discussed. Modifications suggested.
- STEP 9 The Director of DES, in consultation with Working Group, establishes appropriate method(s) to solicit public input. The Director of DES is responsible for public noticing/advertising requirements. Working Group members informed and requested to attend public meeting.
- STEP 10 Public meeting held. The Director of DES or a representative of the Working Group presents findings, conclusions, and recommendations of Draft Amended Strategy.
- STEP 11 The Director of DES distills and synthesizes public comments, and circulates them among the Working Group for comment. If comments are extensive and/or controversial, a meeting of the Working Group is scheduled and organized by the Director of DES. If no meeting of Working Group is warranted, skip to STEP 13.
- STEP 12 A meeting of the Working Group is held. Public comments are discussed. Consensus reached as to how comments are to be reflected in the Amended Strategy. If agreement can not be reached by certain local governments on certain issue(s) and/or project prioritization(s), the conflict resolution process (**Section 6.7**) may be triggered for those specific items parties cannot agree upon. A vote is taken securing approval of the draft Strategy Update Report, contingent upon integrating Working Group comments into draft report.
- STEP 13 The Director of DES modifies the draft report based on the outcome of the results of Working Group meetings (STEPS 8 & 12), or makes modifications resulting from public comments generated during STEP 10.
- STEP 14 The Director of DES finalizes the Amended Strategy. Copies of Amended Strategy are distributed to the Working Group for review.
- STEP 15 Each jurisdictional representative presents the Amended Strategy to their local governing body, and other interested parties. If there are new or modified recommendations that their local government could implement to further the countywide Strategy, the member seeks direction from governing body to implement appropriate strategies.
- STEP 16 The final updated LMS is formally adopted by all participating jurisdictions
- STEP 17 The final updated LMS is forwarded to the State Hazard Mitigation Officer at the Florida Division of Emergency Management and FEMA Region IV for review.

## 6.7 CONFLICT RESOLUTION

### *Background*

With multiple local governments involved in the development of the Indian River County LMS, differences of opinions may arise over the course of the program with regard to goals, objectives, policies, and projects. Governments often have different interests, priorities, and needs as well as distinct constituents. In cases where an impasse occurs, there needs to be a procedure that can be activated to resolve such conflicts. This section describes the procedure that will be used to resolve conflicts arising among the participating entities in the development of the Indian River County LMS. The Conflict Resolution Process is depicted in **Figure 6.3**. The specific steps are described in detail below. The methodology is adopted must avoid being bureaucratic, cumbersome, and time inefficient.

Prior to developing the process, other dispute resolution processes were investigated. They included the Treasure Coast Regional Planning Council Dispute Resolution Process, the Palm Beach County Multi-jurisdictional Issues Coordination Forum, the South Florida Growth Management Conflict Resolution Consortium, the Volusia County Coastal Management Element Conflict Resolution Program, and the Monroe County procedures for resolving disputes during the planning, design, construction, and operation of wastewater collection/treatment and effluent disposal facilities.

The two types of conflicts that may arise are issues and disputes. Issues are technical problems that are susceptible to informal solution by emergency management or planning office staff. Disputes are problems that escalate to levels requiring formal resolution by neutral third parties. In either case, resolution or settlement will NOT be binding, but a mutual, agreed to understanding among the disputing parties.

Developing a Local Mitigation Strategy is a cooperative, collaborative process, and local governments should be able to reach consensus on most issues and problems that arise during the development period. When occasions arise where local governments cannot reach agreement on a particular issue or project, they will be able to petition a hearing of the issues before the Conflict Resolution Subcommittee. Discussions at this level are considered "informal." The Subcommittee will be composed of three people. One member of the Subcommittee would be appointed by the Working Group Chair, and a second person by an individual representing the Treasure Coast Regional Planning Council. A third member would be someone drawn from the Working Group, mutually agreed upon by the Working Group Chair and the Treasure Coast Regional Planning Council representative. If no resolution could be reached, the issue would then be heard by the entire Working Group. This process is voluntary and non-binding.

The Indian River County DES staff would provide staff support.

### *Conflict Resolution Procedure*

The following provides a detailed, step by step procedure that would be followed should a dispute arise during the study.

Objective: To institute a fair, effective, and efficient process to resolve conflicts among local governments during the development of the single, County-wide Local Mitigation Strategy.

During the development of the LMS, local governments may reach an impasse on a particular issue or position. The local government has an opportunity to elect to exercise the following LMS Conflict Resolution Procedure.

- STEP 1        The local government would submit a letter of dispute (LOD) to the Indian River County Department of Emergency Services (DES), Director explaining in as much detail as possible, describing their concern and position along with documentation to support their position. Also, they would outline potential alternative solutions.
  
- STEP 2        The DES would review the LOD making sure that it clearly outlined the position of the local government(s) and provided sufficient information supporting their position so the dispute at question could be easily understood by the members of the Conflict Resolution Subcommittee. If necessary, the DES would contact the disputing party and ask for additional information/data necessary to clarify the position.
  
- STEP 3        Once the LOD is determined to be complete, within (7) calendar days the County DES staff will notify and arrange a telephone conference call or a meeting of the Working Group Chair and TCRPC representative to select individuals to serve on the Conflict Resolution Subcommittee. Before the selection process is completed, a verification of a willingness to serve will have been completed. (Only voting members or alternates of the Working Group are eligible to serve on the Subcommittee).
  
- STEP 4        Within a day of the Subcommittee selection, (see STEP 3), the DES staff will send a follow-up letter to each Subcommittee confirming their appointment.
  
- STEP 5        Included with the follow-up letter will be the LOD and any supportive materials provided by the disputing party.
  
- STEP 6        In an effort to expedite the process, the DES staff will make every attempt to schedule the meeting within two (2) calendar weeks from the date the LOD has been determined complete.
  
- STEP 7        The conflict resolution meeting is held. The DES will provide staff to document the proceedings of the meeting. Every effort on the part of the two parties will attempt to resolve the impasse at the meeting.
  
- STEP 8        If resolution is achieved, the DES staff will prepare a memorandum documenting the issue and the mutually agreed upon resolution. The memorandum will contain two signature blocks, one for the Chair of the Subcommittee and a second for the representative of the disputing party. By their signature, both parties are formally agreeing to the mediated result. A copy will be provided to each party and another copy filed at the DES.
  
- STEP 9        If no resolution is achieved at the meeting, within seven (7) days following the conclusion of the conflict resolution meeting, the Subcommittee will develop an alternative proposal which will be proffered to the disputing party. If

accepted, the DES staff will implement STEP 8; however, if resolution is still not achieved, the process will move to STEP 10.

- STEP 10      If the impasse is not resolved at the Subcommittee level, the DES will schedule a meeting of the full LMS Working Group. In an effort to continue to try to resolve the impasse expeditiously, the DES staff will make every attempt to schedule the meeting within two (2) calendar weeks from the date that a solution cannot be achieved at the Subcommittee level. Each member will be sent a copy of the LOD and any supportive materials provided by the disputing party. The disputing party will be notified of the meeting date and time.
- STEP 11      A meeting of the Working Group is held. The representative of the disputing party will present their positions and the Chair of the Subcommittee will present the views of Conflict Resolution Subcommittee. Based on the ensuing discussion, hopefully resolution will be achieved. At the end of the meeting, if no mutually acceptable compromise is achieved, the position of the Working Group will be final. Whatever the outcome of the meeting, a memorandum of understanding will be prepared by the DES. To be official, the memorandum must have the concurrence of the Working Group Chair, and a representative of the disputing party.

## **6.8      FUNDING**

Whether projects are implemented in many instances is dependent on whether or not funding is available or whether a grant application was awarded. Potential funding sources are listed in **APPENDIX C – Funding/Mitigation Options**. However, because funding programs are so fluid, funded some years cutback other years, or completely eliminated, the County and its municipalities maintain contact with their Florida Department of Community Affairs liaison and the Treasure Coast Regional Planning Council who are familiar with available grants. Also, Region IV, Federal Emergency Management Agency – Pre-disaster Mitigation Senior Coordinator and the Hazard Mitigation Grant Program Coordinator for Florida are excellent resources, too.