

HOMELAND SECURITY AND EMERGENCY MANAGEMENT DEPARTMENT[605]

Regulatory Analysis

Notice of Intended Action to be published: 605—subrule 7.3(4)
“Local Emergency Management”

Iowa Code section(s) or chapter(s) authorizing rulemaking: 29C.9
State or federal law(s) implemented by the rulemaking: Iowa Code section 29C.9

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

August 4, 2025
12:30 p.m.

Geode Room
7900 Hickman Road, Suite 500
Windsor Heights, Iowa

Public Comment

Any interested person may submit written or oral comments concerning this Regulatory Analysis, which must be received by the Department of Homeland Security and Emergency Management no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

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Purpose and Summary

The Federal Emergency Management Agency recently updated its document titled “Developing and Maintaining Emergency Operations Plans: Comprehensive Preparedness Guide (CPG) 101. Version 3.1.” This version replaces and rescinds Version 2.0 from 2021. CPG 101 is adopted by reference in subrule 7.3(4). This rulemaking proposes to update the reference with the latest version.

Analysis of Impact

1. **Persons affected by the proposed rulemaking:**
 - **Classes of persons that will bear the costs of the proposed rulemaking:**
There is no direct cost associated with the proposed rulemaking.
 - **Classes of persons that will benefit from the proposed rulemaking:**
All individuals within the State benefit from a well-run and organized emergency management program.
2. **Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:**
 - **Quantitative description of impact:**
Local emergency management commissions must comply with CPG 101 in order to be eligible subapplicants to receive federal funding through the Emergency Management Performance Grant (EMPG) referenced in rule 605—7.7(29C). During the most recent grant cycle, eligible jurisdictions complying with CPG 101 received over \$2 million in EMPG funding.
 - **Qualitative description of impact:**

Local emergency management is the backbone to emergency preparedness and response. The adoption by reference of the most up-to-date version of CPG 101 ensures alignment with federal grant requirements and adopts the most up-to-date emergency planning guidance from subject matter experts from across the nation to plan and prepare for emergencies.

3. Costs to the State:

• **Implementation and enforcement costs borne by the agency or any other agency:**

There are no implementation or enforcement costs to the State or the Department associated with this rulemaking.

• **Anticipated effect on State revenues:**

There are no anticipated effects on State revenues. However, by not ensuring compliance with the most recent CPG 101 version, local emergency management commissions may become ineligible for federal funding assistance.

4. Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:

This rulemaking ensures that local emergency management commissions are conducting the necessary planning and preparedness activities. In some instances, inaction would lead to federal funding disqualification.

5. Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:

By updating the document adopted by reference, the Department ensures compliance for eligibility with federal grant funds. The adoption by reference is a requirement of grant eligibility. There are no less intrusive methods possible.

6. Alternative methods considered by the agency:

• **Description of any alternative methods that were seriously considered by the agency:**

None were considered.

• **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

Not applicable.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

• Establish less stringent compliance or reporting requirements in the rulemaking for small business.

• Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.

• Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.

• Establish performance standards to replace design or operational standards in the rulemaking for small business.

• Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

This rulemaking has little to no impact on small businesses other than their ability to bid on projects funded through the available grants.

Text of Proposed Rulemaking

ITEM 1. Amend subparagraph 7.3(4)“d”(1) as follows:

(1) The commission shall develop a comprehensive emergency plan that is capabilities-based, multihazard and multifunctional in nature. The plan will conform to the Comprehensive Preparedness Guide 101 as established by the Federal Emergency Management Agency published ~~2021~~ 2025 with any modifications as determined and communicated by the department.