

7.0 – Monitoring Progress of Mitigation Activities

The following requirement(s) are met throughout this section:

- §201.4(c)(5)(ii): *[The Standard State Plan Maintenance Process **must** include a] system for monitoring implementation of mitigation measures and project closeouts.*
- §201.4(c)(5)(iii): *[The Standard State Plan Maintenance Process **must** include a] system for reviewing progress on achieving goals as well as activities and projects in the Mitigation Strategy.*

Section 7 is intended to serve as an outline of the process followed by the New York State Emergency Management Office in the initiation, selection/eligibility, monitoring and closeout of projects funded by various grants awarded by FEMA. Specific FEMA criterion for funding are applied to each grant award, and the specifics of each grant program can be found in Section 10 or by searching the FEMA website. In some cases, the grant may be awarded to a state agency, but in most cases, the funds are awarded to local jurisdictions for the purpose of completion mitigation projects or activities which are in keeping with the goals of the State Hazard Mitigation Plan

7.1 – Project Management

Project Management is necessary for any mitigation program to be successful and to insure that approved mitigation measures (projects) are implemented in accordance with approved project provisions and published regulations and guidelines. To understand project management as it applies to New York State (FEMA Supported) mitigation programs, an understanding of the mitigation project selection process is necessary. The selection process is relatively simple, but to ensure fairness and equity to all applicants and to maintain continuity with the local, county and State All Hazards Mitigation Plans, the following protocols (with the exception of an eminent danger situation) will be implemented upon approval and publication of the Plan. As HMGP is SEMO's largest grant program, the HMGP model is used for the purposes of this Plan. The process for initiating, monitoring, and closing out projects has not changed significantly since the initial NYS Hazard Mitigation Plan was developed in 2005. In addition, there are not any significant differences between the monitoring of projects funded under the HMGP, FMA, PDM, or the newly established RFC and SRL programs. Any specific monitoring requirements set by FEMA will be in place as each program is implemented in New York State.

7.1.1 – Initiation of Projects

Some of the project selection steps are implemented prior to project approval. Project Management begins with the FEMA project approval letter.

1. Pre Disaster Mitigation: Usually funding for non-disaster related programs, either project or planning funding, is provided to New York State on an annual basis. The FEMA approval letter process is similar to the post disaster program. The pre-disaster programs funded by FEMA and managed by the SEMO Mitigation branch include:

- The Flood Mitigation Assistance Program
- The Pre-Disaster Mitigation Program

2. Post Disaster Mitigation: FEMA notifies the State that a presidential disaster has been declared. With the disaster declaration, the State is provided with the eligibility for Federal disaster assistance. For many disasters, funding is provided for Individual Assistance (IA), Public Assistance (PA), and Hazard Mitigation. Hazard Mitigation funding is determined by allotting a percentage of the combined IA and PA monies. Specific guidance for applicant eligibility can be found in the Code of Federal Regulation 44 (44CFR). If neither IA nor PA were declared eligible, there would be no mitigation funding available.

When IA and/or PA are declared, an allocation for HMGP will usually be awarded. Post-Disaster HMGP funds are usually allocated as a percentage of the total amount allocated for IA, PA or both. The percentage of allocation will not exceed 15 percent of the IA/PA total for States with standard mitigation plans and will not exceed 20% for States with enhanced plans.

When FEMA indicates that mitigation funding is available, the SEMO Mitigation Section will announce via a formal letter from the SEMO Director to each of the SEMO Regional Directors, County Executives, Emergency Managers, and Mitigation Coordinators that mitigation funding is available. The County Executives are asked to disseminate the information to all eligible entities within their respective counties. A similar announcement is provided to other (non-county) eligible entities, such as State agencies, eligible not-for-profit agencies, and school districts, as appropriate.

To assist the disaster-affected counties and communities, the SEMO Mitigation Section will continue the outreach program by conducting eligibility briefings at strategic locations around the State. Interested applicants are asked to submit a Letter of Intent (LOI) expressing their interest in participating in the mitigation program appropriate to the funding source. The LOI must be returned to SEMO by an established date.

The Mitigation Section will accept applicant LOIs until the announced deadline. The Mitigation Section Staff will review the LOIs for program eligibility and answer the following:

- 1. Is the applicant eligible?**
- 2. Would the proposal result in an eligible project (mitigation measure)?**
- 3. Does the LOI provide enough information to answer 1 and 2 above? If not, the Mitigation Staff will contact the applicant to seek additional information necessary to make an eligibility determination.**

When the LOI eligibility review determines that a proposal is eligible, the applicant is notified via a formal letter that a complete application should be prepared and submitted by a stated deadline date. If the determination is that the proposed project or the applicant is not eligible, then the applicant is notified not to proceed with the application process.

As required and by request from applicants (usually by SEMO Region or appropriate geographic area), SEMO Mitigation Section staff will conduct application preparation workshops. Workshops will include a review of the application requirements and examples of applications and alternative projects. Workshops can and will be tailored to individual applicants, or the affected area. Individual applicant assistance will be offered when appropriate.

SEMO Mitigation Section Staff will consider applications that are postmarked on or before the established deadline. In the event an application is received that is postmarked after the established deadline, it will only be considered if funding remains available after all the earlier applications have been considered. Late applications will automatically receive a lower funding priority than those received on time without consideration of normal prioritization factors.

SEMO Mitigation Section Staff will record all received applications (with all pertinent applicant information) in a database and assign the application a temporary control number. Applications will be numbered in the order received at SEMO (i.e. first application will be marked with the FEMA Disaster Number followed by 0001. Example: 1095-0001). At a later date, approved applications will receive a National Emergency Management Information System (NEMIS) tail number, if required, starting with the first project that is approved, example: 1095-0018-0001.

After applications are received and recorded in the database, they will be assigned to the appropriate Project Manager to review for project eligibility and application completeness. If a proposed mitigation measure/project is deemed ineligible, the applicant will be notified by formal letter, which will include the reasons the measure is ineligible. If possible, the applicant will be given the opportunity to provide additional information that may justify the proposal's eligibility. For applications that are deemed eligible but are incomplete and will require additional information to clarify or strengthen the application, SEMO Mitigation staff will notify the applicant by letter, accompanied by an application deficiency checklist that identifies those parts of the application that need improvement. To ensure that the application process moves along with the pre-established application deadlines (Timeline), informational deadlines are established for all requests for additional information.

After all applications are reviewed, the completed applications will be considered for funding. If the dollar amount of the applications is equal to, or less than, the total of the available funding, then all eligible applications will be submitted to FEMA for final review and funding consideration. If the dollar amount of the applications exceeds the available funding amount then a Project Review Board (PRB) will be convened to review and prioritize the applications. The prioritized listing of applications, up to the available dollar amount will be submitted to FEMA for funding consideration. Applications not included on the initial prioritization list will be held at SEMO for submission to FEMA if there is funding available after considering applications from the prioritized list.

In order for the applicant to be fully familiar with the process, and regardless if the applicant has received Mitigation funding before, a Project Management Briefing will be scheduled between SEMO Mitigation staff (usually the Project Manager) and the applicant or their authorized representative. During the briefing, the Project Manager will explain the specific conditions of FEMA's approval (which are also provided in the approval letter). The Project Manager will

review and explain the requirements that are outlined in the Project Management Handbook and explain in detail the need for, and requirements of, the forms provided with the Handbook such as the Quarterly Reports and Reporting Schedule, Reimbursement Documents, Completion Date Requirements and procedures for requesting Completion Date Extensions, the Project Completion and Closeout Form, and other project management documentation that may be necessary to insure a successful project. Project Management Handbooks are available at the SEMO Mitigation Section and are available upon request.

7.1.2 - Eligibility Determination

SEMO Mitigation staff reviews project applications submitted under the HMGP, FMA, PDM, RFC, and SRL grant programs offered by FEMA. The Mitigation Staff compares the requested project to the eligible criteria provided by FEMA and makes an initial eligibility determination. For the SRL program, priority will be given to the properties that meet the NFIP claims history required to qualify for the SRL Grant. See **Sections 5 and 10** for more information on the SRL Program and other funding sources. The Mitigation Staff then submits applications deemed eligible by SEMO to FEMA for a final eligibility review.

In the case that a proposal is determined to be ineligible or denied for reasons outlined by FEMA, the applicant will be notified the proposal is denied and will be offered the opportunity to appeal FEMA's decision in accordance with 44CFR.

For projects that are deemed fully eligible, the applicant is notified of project approval via a formal letter from the SEMO Director. The approval letter provides the basic approval criteria from FEMA and any specific guidance the applicant may need before beginning the project. Along with the formal approval letter, the applicant is provided with a SEMO produced Project Management Handbook that fully explains the protocol for project management from project beginning to project completion and closeout. FEMA will provide the final review and eligibility determination.

7.1.3 – Monitoring Progress of Mitigation Activities

Once the project has begun, SEMO Mitigation staff will monitor the project's progress by maintaining a schedule of telephone contacts with the applicant and physically visiting the site before, during, and after its completion. If there is a problem or a conflict with a project, the Mitigation staff acts as a mediator to resolve the issue as quickly and efficiently as possible.

SEMO Project Managers will ensure that all supporting documentation (building or regulatory agency permits) are in order and up to date, quarterly reports are received and submitted to FEMA on time, and all reimbursement requests are accurate and relevant to the projects authorized expenses. Approved reimbursement requests will be forwarded to SEMO Finance for processing and payment.

Also refer to **Section 4 Tables 4-3 through 4-8** for mitigation activities and **Section 6 Plan Maintenance Procedures** for corresponding monitoring and updating procedures for the overall plan. Particularly **Table 6-1 Plan Maintenance**.

7.1.4 – Project Closeouts

When the applicant reports the Mitigation project is complete and all eligible reimbursements have been paid, the Project Manager will prepare the Closeout Form. The Closeout Form will be mailed with a formal letter explaining the procedures for project closeout to the applicant. The letter will request the applicant review and verify the project closeout information is correct, then sign and return the Closeout Form to the Mitigation Branch for final processing. Upon receipt of the verified and signed Closeout Form, the Project Manager provides the Closeout Form to the Alternate Governor's Authorized Representative (AGAR) for review and signature.

When the Project Manager determines all project management procedures have been satisfied, the original signed Closeout Form will be filed with the project file and a copy of the form will be transmitted to FEMA by formal letter. At that time the project will be officially closed.

7.1.5 – Documentation

SEMO Mitigation Section will maintain the project file for three years from the date of the AGAR signature on the Closeout Form.