

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 describes the New York State Office of Emergency Management’s (NYSOEM’s) procedures for accomplishing three interrelated tasks:

- a) Supporting hazard mitigation activities during disaster and emergency declarations in the Joint Field Office (JFO) and through field visits, technical assistance, and Benefit-Cost Analyses;
- b) Identifying, initiating, developing, selecting, monitoring and closing out local mitigation planning and project grants assisted with FEMA funds;
- c) Promoting, supporting and monitoring the mitigation activities of State agencies carrying out their day-to-day activities.

7.0 – State and FEMA Program Revisions

Since the last Plan update, NYSOEM has revised many of its procedures to better disseminate program information and provide technical assistance, establish and enhance relationships with sponsors and stakeholders, simplify and streamline applications, ensure efficient program implementation, and justify continued public investment and support of mitigation programs. These actions are described below.

In FY 2009 FEMA created the Unified Hazard Mitigation Assistance (HMA) Program by combining four existing hazard mitigation programs: the Pre-Disaster Mitigation (PDM), Flood Mitigation Assistance (FMA), Repetitive Flood Claims (RFC) and Severe Repetitive Loss (SRL) programs. The new Unified HMA offers several benefits: all four programs run concurrently once a year (rather than separately in overlapping cycles), the application period is 180 days (rather than 90), and applicants can apply for any of the programs---or all of them---with one online application (rather than four).

In FY 2010 the Hazard Mitigation Grant Program (HMGP) was added to the Unified HMA Guidance in an attempt to reconcile policies and procedures among all five FEMA hazard mitigation grant programs. The HMGP is remains tied to Presidential disaster declarations and therefore has no set timeframe, and the State’s HMGP applications must be submitted to FEMA within one year of the disaster declaration.

Links to each of the five FEMA grant programs can be found on NYSOEM’s webpage (see www.semo.state.ny.us/programs/mitigation/). Also on the webpage are FEMA’s Grant Program

Comparison Chart, the Hazard Mitigation Assistance (HMA) Unified Guidance, and NYSOEM's Benefit Cost Analysis for Mitigation Projects handout.

7.1 – Section 406 Mitigation during Disasters

NYSOEM's Mitigation Section actively supports Section 406 mitigation activities undertaken during recovery efforts funded by Presidential disaster and emergency declarations through:

- a) Presence in the Joint Field Office (JFO) and in the field as needed;
- b) participating in Applicant Briefings and outreach efforts;
- c) reviewing Project Worksheets (PWs) and conducting Benefit-Cost Analyses (BCAs) when requested;
- d) assisting FEMA in developing a disaster-specific mitigation strategy to respond to the event type, the damages incurred and/or the needs of the community

At FEMA's suggestion, NYSOEM also revised its Benefit Cost Analysis (BCA) for Project Grants handout for use by State and Federal Public Assistance (PA) staff, consistent with FEMA's effort to unify Grant (Section 404) and Recovery (Section 406) Mitigation activities.

7.2 – Management of Local Grants

NYSOEM has significantly revised the process for soliciting, initiating, monitoring, and closing out local mitigation projects since the last Plan was developed in 2008. The HMGP is the oldest of FEMA's hazard mitigation programs and in New York it is also the most popular: applicants compete with other eligible applicants in our state (not nationwide); the program is easier to maneuver for applicants who do not have fully developed plans and specifications; and FEMA Region II actively supports the program with HMGP staff stationed in Albany and New York who provide significant assistance in the project development phase.

The HMGP model will be used in this Plan to explain the State's process for soliciting, initiating, monitoring and closing out local mitigation planning and project grants. (These aspects of the Unified HMA will be described parenthetically.)

7.2.1 – Local Grants from Start to Finish

The primary steps of the State's Hazard Mitigation Grant Program are described below.

- 1. Notice of Funding Availability:** HMGP funds become available to the State with a Presidential disaster or emergency declaration. There has been no change.

(Unified HMA: FEMA notifies all States, Territories and Tribal Nations of the program's annual funding cycle, traditionally in June.)

2. Canvass for Applications: NYSOEM disseminates program information and solicits Letters of Intent (LOIs) from eligible applicants. LOIs submitted by eligible applicant and describing eligible program activities continue to the application development phase. Those that do not are notified why (ineligible applicant, ineligible activity, or both) and, where possible, given recommendations to address eligibility issues and make the proposal competitive in future grant rounds.

(Unified HMA: The process is identical.)

3. Application Development: Applicants continue to work closely with NYSOEM and FEMA staff to flesh out the project and address program, environmental, and cost-effectiveness requirements. Information is gathered by correspondence and e-mails, and in phone calls, meetings and site visits. Not all eligible applicants with eligible projects conclude the process: some do not continue due to staffing, timing or funding (sponsor match) issues; occasionally a project initially deemed eligible is found to be ineligible as more information is gathered (one example is a road project that may be eligible for FHWA funding); and some applicants do not meet the requirement of a FEMA-approved mitigation plan in effect at the time of application submission (Unified HMA) or award (HMGP)..

(Unified HMA: The interaction among applicant, State and FEMA is similar, but application materials must be submitted online using FEMA's *eGrants* system.)

4. Project Ranking: If the requests for funding exceed the available monies, a Project Review Board (PRB) is convened to rank all eligible projects based on the State priorities. (If all eligible planning and project activities can be funded, there is no need for a PRB.)

(Unified HMA: no ranking is currently necessary as multiple applications can be submitted under the various Unified HMA programs.)

5. Submission to FEMA: Projects are submitted to FEMA along with any outstanding required information (e.g., the Form 424 Request for Federal Assistance, Administrative Plan, Budget Forms and Assurances).

(Unified HMA: submission is made online using FEMA's *eGrants* system.)

6. Administrative: Notices of FEMA award or denial are transmitted to the applicants. Contracts are executed with applicants with awarded planning and project grants and Kick-off Meetings are held to ensure that applicants are aware of program requirements and deadlines.

(Unified HMA: the process is similar, with notifications made on FEMA's *eGrants* system.)

7. Monitoring: NYSOEM contacts each applicant once a month to discuss project status, upcoming benchmarks and deadlines, and any needed assistance. Applicants must also submit quarterly status reports for active grants; NYSOEM sends out e-mail reminders and

contacts applicants who do not provide that required documentation. Coordination occurs with FEMA and NYSOEM Fiscal staff (e.g., extension request, scope changes) as necessary.

(Unified HMA: the process is identical.)

- 8. Closeout:** Applicants complete all required paperwork and document their expenses. NYSOEM does not process final payments until the completed work has been inspected by Albany or Regional staff.

As an additional step, final payments for all acquisition projects are held until the applicant provides a notarized property deed containing the protective covenants required by FEMA. It should be noted that acquisition parcels must be managed in accordance with open space requirements in perpetuity and require the applicant to submit reports to NYSOEM and FEMA every three years to document conformance with those standards and the provisions of the grant.

(Unified HMA: the process is identical.)

7.2.2 – Revisions to Enhance Local Grants Procedures

NYSOEM's revisions to its grants management procedures since the last Plan Update are noted below

- 1. NYSOEM began an all-electronic notification system that saves resources, time and money, and allows us to significantly increase our audience with very little additional effort.**

In the past NYSOEM placed program information in the New York State Register and on our webpage, and a cover letter, FEMA program guidance, and Letters of Intent (LOI) were mailed to every County Emergency Manager and Mitigation Coordinator in the State.

Now the information packages are e-mailed to all State Agency Liaisons, County Emergency Managers, County Mitigation Coordinators, County Planners, County Grant Writers, Regional Planning Organizations, Metropolitan Planning Organizations (a Federal Highway administration-mandated function that considers transportation issues on a regional basis) and 52 Soil and Water Conservation Districts. Information is still placed on the NYSOEM webpage, and sent to the Department of Environmental Conservation (DEC), the Department of State's Division of Coastal Resources and Division of Community Services, and the New York Conference of Mayors for inclusion on their webpages as space permits.

The time to prepare application materials and guidance documents to send to applicants remains unchanged. However, while under the previous system it took an additional 2 to 3 days to copy, collate and mail those materials, e-mailing takes less than 10 minutes.

(Unified HMA: Program information is disseminated identically.)

2. NYSOEM created more robust workshops tied directly to application deadlines.

Working with our 5 regional offices, NYSOEM mitigation staff run workshops before Letters of Intent (LOIs) and/or applications are due. Key changes include:

- Potential applicants speak with staff to register and discuss their projects;
- Formal presentations are streamlined to provide more general overview and leave time for questions and project development;
- Applicants are encouraged to bring materials (photos, sketches, drawings or plans) and be prepared to discuss their mitigation problem and proposed solution in a break-out session.

This approach has been well-received by our applicants. It establishes realistic expectations because applicant and/or project eligibility issues can be resolved early on, saving application development time for ineligible applicants and providing better guidance for eligible applicants. Attendees also agree that it is useful for them to participate in an active dialogue and to hear the suggestions and alternative approaches discussed for projects proposed by other applicants.

(Unified HMA: workshops and outreach will be handled similarly across all mitigation programs and activities.)

3. NYSOEM revised its HMGP application (see Appendix 2 of this Plan for an example).

Part 1 provides a program overview explaining procedures and State ranking and funding objectives. Part 2 contains the mitigation planning application, supplemental questions (see below), plan development timeline materials, and non-construction budget form required by FEMA. Part 3 consists of the mitigation project application, supplemental questions (see below), SOEM's Benefit-Cost Analysis handout, and the construction budget form.

(Unified HMA: applications are filed online using FEMA's *eGrants* system.)

4. NYSOEM added 4 additional planning objectives and 6 additional project objectives.

The State has traditionally given priority ranking to projects in declared counties and those that removed residential structures from floodplains. New objectives were added to increase program visibility and encourage and reward good mitigation practices.

Planning Grant Objectives:

- Providing prioritized assistance to counties declared in this disaster;
- Ensuring geographic distribution of projects across the State;
- Encouraging multi-jurisdictional collaborative efforts;
- Encouraging proposals that consolidate previous single-jurisdiction plans;
- Maximizing the general population and critical infrastructure covered by proposed plans;
- Supporting Applicants who have completed mitigation plans or projects without funding from FEMA or SEMO.

Project Grant Objectives:

- Providing prioritized assistance to counties declared in this disaster;
- Funding projects that provide a permanent or near-permanent mitigation solution without human intervention (i.e., demolition, relocation or elevation of threatened structures);
- Ensuring geographic distribution of projects across the State;
- Increasing hazard mitigation program visibility;
- Encouraging projects in counties with no previous mitigation grants;
- Supporting Applicants who have adopted or amended their FEMA-approved mitigation plans within the 12 months;
- Supporting Applicants who have successfully completed mitigation projects;
- Supporting Applicants who have undertaken mitigation planning or projects without funding from FEMA or SEMO.

(Unified HMA: State objectives remain the same regardless of program, although ranking is not necessary as multiple applications can be submitted under the Unified HMA programs.)

5. NYSOEM instituted a new policy of direct team discussions with grantees at every step of the application process to improve communication and establish better working relationships.

Nearly all communications with grantees follow these new protocols:

- Communication is direct, through phone calls, meetings or site visits;
- They involve at least two State staff, including a technical reviewer if warranted, to ensure that all issues are covered and all options are explored;
- The State also written follow-up minutes via e-mail and requests grantee concurrence.

(Unified HMA: this protocol applies across all mitigation programs and activities.)

6. NYSOEM established a new ranking process for planning and project grants.

In the past, projects were ranked without regard to location and funded down the list until all monies were exhausted. While projects are still ranked and ordered as a first step, with a PRB convened if necessary (see above), NYSOEM instituted the following changes to achieve the new goals of ensuring geographic distribution and increasing program visibility.

The State now uses FEMA's six-month lock-in to establish an available funding pool. (This is the minimum HMGP funding the State can receive: final amounts are fixed at the 12-month lock-in, and FEMA regulations mandate that the 6-month estimate can increase but never decrease.) The funding pool is divided by 5 (or multiples of 5) to achieve a per-project cap not to exceed \$1 million. The top-ranking project in each of NYSOEM's five regions is selected and the list shuffles up. The remaining projects are then selected based solely on ranking, until funds are exhausted.

HMGP planning grants are administered similarly, ensuring that at least one planning grant and one project grant will be funded in each of NYSOEM's 5 regions.

To ensure that all participants have realistic expectations, NYSOEM notifies interested applicants of the estimated pool of money and estimated cap, the number of Letters of Intent (LOIs) received, and the requested monies those LOIs represent in our application mailing.

(Unified HMA: no ranking is currently necessary as multiple applications can be submitted under the various Unified HMA programs.)

7. NYSOEM instituted a monthly call-out protocol for all grantees.

In addition to monitoring quarterly reports submitted by grantees, NYSOEM mitigation staff call every grant recipient once a month to establish a good working relationship, discuss project status, upcoming benchmarks and deadlines, and determine if the project is on track or if assistance is needed. This started on a trial basis with planning applicants to enhance monitoring procedures for those grants and has been in use on our project side since January 2010. This procedure has significantly reduced the number of extensions and project delays.

(Unified HMA: this protocol applies across all mitigation programs and activities.)

8. NYSOEM revised its monitoring and reporting procedures for closed out property acquisition grants.

FEMA funds the purchase and demolition (or relocation) of residential properties in floodplains. When this occurs, grantees are required to restrict inappropriate development, maintain the parcels in accordance with open space standards, and provide regular reports to the State and FEMA to document continued conformance. (The reporting period recently changed from 2- to 3-year intervals.) It has been our experience that the requirements and their significance become overlooked with changes in administration, competing priorities, etc. To address this, the State prepared an informational letter explaining our office and our role, the past grant assistance, and the reporting requirement that accompanies it. Includes with this is a spreadsheet attachment listing all acquired parcels by disaster, FEMA Project ID number and local tax parcel ID number. (In the past the applicants needed to compile that information, so this is a time-saver.) The spreadsheets, one per applicant, are living documents that can be updated when new disasters bring new acquisition projects. Finally, the spreadsheet includes directions about photos and other materials to be submitted, and includes an assurance statement and signature line so grantees don't have to prepare that documentation.

FEMA Region II has shared this approach and format with other Regions.

(Unified HMA: this protocol applies across all mitigation programs and acquisition activities.)

7.3 -- State Agency Mitigation Measures

Since the last Plan Update, NYSOEM has focused on improving the manner in which it solicits, initiates, monitors, and closes out local mitigation projects. While the process is the same for local and State government project sponsors and grantees, few State agencies have participated in the FEMA Section 404 hazard mitigation grant programs.

During the next plan cycle the State will focus its efforts on better engaging State agencies in the active identification, implementation and monitoring of mitigation projects, whether funded by FEMA mitigation grants or the state general Fund. We believe that while the mechanisms in place for monitoring State progress are good, they could be improved upon with more frequent interaction and an emphasis on developing relationships with agency staff in key bureaus or particular regions rather than one liaison. We will attempt to identify an agency or agencies with which to collaborate; primary goals of the collaboration are to integrate the tracking of mitigation activities with existing processes, timelines and reports, to use the exercise as an example for other agencies interested in mitigation, and to continue to underscore the value of mitigation to protect the State's investment in communities and infrastructure in the face of diminishing tax revenues.

In the Fall of 2010 NYSOEM received two HMGP applications that were a collaborative effort among local communities, a county soil and water conservation district, and the State Department of Transportation. NYSOEM would like to improve its relationship with the network of County Mitigation Coordinators to foster more regional cooperation

NYSOEM's hazard mitigation staff are responsible for maintaining, revising and monitoring success of the plan on behalf of the Disaster Preparedness Commission (DPC) and the people of the State of New York.

Monitoring progress in carrying out the actions and projects identified in this Plan Update will occur annually, with directed outreach to State agencies to request annual updates on revised strategies and projects, particularly if new hazard information or updated profiles are warranted based on events in the past reporting cycle.

Identify implementation problems (technical, political, legal, and financial) and, as appropriate, develop recommendations and strategies to overcome them.