

DR-4480-NY COVID Hazard Mitigation Webinar Series – February 2022

Frequently Asked Questions

- 1. QUESTION:** Are project scoping applications eligible? If so, would they be under planning or project applications?

ANSWER: No. Project scoping is only eligible under Flood Mitigation Assistance (FMA) and Building Resilient Infrastructure and Communities (BRIC). The similar program under HMGP is Advance Assistance, which is eligible under DR-4480-NY HMGP.
- 2. QUESTION:** Is there a limit of sub-applications per sub-applicant? How many projects are permitted to be submitted by one applicant? Can you submit more than one application under this grant for multiple projects that may qualify?

ANSWER: Each project requires its own application, but there is no limit on how many project applications each subapplicant can submit.
- 3. QUESTION:** Do you know how many projects will be accepted or is it based on total dollar amount?

ANSWER: There will be no limit on applications. There is total funding for DR-4480-Ny HMGP that cannot be exceeded up to \$293 million for projects and up to \$22 million for planning.
- 4. QUESTION:** Is there a limit on project costs?

ANSWER: No.
- 5. QUESTION:** Are the funding limits on planning projects, a limit per project, or is it a cap on all planning funds in that category for that city?

ANSWER: There are funding limits for County Plan Updates and County Plan Enhancements as outlined in the Notice of Funding Opportunity (NOFO). Counties may request funds more than these amounts, however, they will be ranked and funded on a competitive basis. There are no limits on the Planning Related Activities, but they will also be ranked and funded on a competitive basis.
- 6. QUESTION:** Will DHSES prioritize projects that are submitted first? Or does that not affect the ranking?

ANSWER: DHSES encourages applicants to submit as early as possible as applications will be reviewed as a first come basis. All eligible applications received before the deadline will be reviewed by the DHSES' HMGP Review Board for prioritization, scoring and ranking.
- 7. QUESTION:** Are there any Planning Requirements that must be met to qualify as a potential subapplicant?

ANSWER: Yes-the subapplicant must have a FEMA approved and jurisdiction adopted Hazard Mitigation Plan at the time of obligation and project approval.
- 8. QUESTION:** Our County's HMP is currently in an "approvable pending adoption" status with FEMA. It originally expired in 2019, although in 2020 FEMA did accept a letter of exceptional circumstance for COVID-19 challenges. With its current status, are applicants in the county eligible to apply or do we still need to submit a letter (and if so, would projects still be competitive)?

ANSWER: Approvable Pending Adoption (APA) status means that FEMA has already approved the plan and the county will need to formally adopt the plan and the plan will be valid for 5 years. The plan will need to be adopted prior to award and obligation.
- 9. QUESTION:** What is the expected timeline to know if a project has been awarded once FEMA receives it? How long does it then take for contract process to complete?

ANSWER: DHSES expects to hear within 6 months once all applications are submitted to FEMA. The state contracting process usually takes 90-120 days, depending on the complexity of the project.

10. QUESTION: Do properties for acquisition or elevation need to be NFIP-insured to be eligible?

ANSWER: No, but elevated properties must then be covered by NFIP in perpetuity.

11. QUESTION: Do projects have to be "shovel ready"?

ANSWER: Projects should be as close to shovel ready as possible, but there is also the understanding that there are additional aspects that will need to go into a project. No project should start before obligation and award though, or it is ineligible.

12. QUESTION: Soil Stabilization projects - what about a shoreline stabilization/bank stabilization project using sheet piling?

ANSWER: There is no FEMA prohibition against sheet piling as a material, however, the project must otherwise meet all necessary permitting requirements and be determined cost effective.

13. QUESTION: Do projects have to have been through a declared emergency to qualify for this program or just have had issues?

ANSWER: No, your project does not have to have been impacted through a declared emergency to qualify, it just must be an eligible project under DR-4480-NY.

14. QUESTION: Is there a specific definition of critical infrastructure criteria?

ANSWER: The Critical Facilities defined within the FEMA "Hazard Mitigation Assistance Guidance 2015" (p135) is what is being used as the guide.

15. QUESTION: Is there a dollar cap on Planning Related Activities?

ANSWER: No, not for an individual Planning Related Activities. DHSES does have a total planning cap that is 7% of total funding, however, individual projects will be evaluated and on funded on a competitive basis up to that amount without a pre-project cap. DHSES has made allocations for Plan Updates and Plan Enhancements available to the counties based on population size that are included in the NOFO.

16. QUESTION: Will Advance Assistance (AA) for DR-4480-NY be available?

ANSWER: Yes.

17. QUESTION: Are management costs allowable and if so under what circumstances?

ANSWER: Yes, if awarded HMGP funding, up to 5% of the total project award may pay for management costs.

18. QUESTION: Is DHSES accepting projects under the 5% Initiative for those that cannot conduct a traditional BCA?

ANSWER: Yes, however, these funds are not eligible to be used in situations where the mitigation activities can be evaluated under FEMA-approved cost-effectiveness methodologies but do not meet the required BCA threshold.

19. QUESTION: For buyouts of homes with repetitive flooding, do they have to be in 100-year flood zone. Can the home be in an unmapped floodplain?

ANSWER: No, the home does not need to be located within the 100-year flood zone, whether it has experienced past flooding or not, but it must be determined cost effective utilizing FEMA's BCA toolkit. Pre-determined benefits for buyouts may only be utilized for homes located within the 100-year floodplain.

20. QUESTION: A Benefit Cost Analysis (BCA) is required but what does it do?

ANSWER: BCA determines the future risk reduction benefits of a hazard mitigation project and compares those benefits to its costs.

21. QUESTION: Does the cost of easements factor in?

ANSWER: This is an eligible project cost. It must be included as a cost in the BCA calculation.

22. QUESTION: For HMP, HMP-E, and HMP-A submissions, is the BCA still required?

ANSWER: Planning applications do not require a BCA.

23. QUESTION: When is a BCA not required in a buyout?

ANSWER: BCA is not required:

- If the property is located within the Special Flood Hazard Area (SFHA)
- Can be purchased for \$323,000 or less
- If the property is located within the SFHA and has been determined Substantially Damaged under the community's Floodplain Ordinance

24. QUESTION: Does a Generator related project application require a BCA?

ANSWER: Yes

25. QUESTION: Can a generator be a component of a larger project?

ANSWER: Yes

26. QUESTION: How would the BCA be calculated for a generator for a municipal building?

ANSWER: The BCA would be calculated as described under the FEMA Job Aid, "Eligibility of Generators as a Fundable Project by the Hazard Mitigation Grant Program and Pre-Disaster Mitigation Program".

27. QUESTION: Will DHSES be providing BCA services for all sub-applicants?

ANSWER: DHSES will offer technical assistance to all applicants. The BCA must be completed by the subrecipient.

28. QUESTION: The current BCA toolkit is 5.6?

ANSWER: No. The current required BCA Toolkit required by FEMA is BCA Toolkit V6.0

<https://www.fema.gov/grants/guidance-tools/benefit-cost-analysis>

29. QUESTION: Does the application require a BCA with only past loss data?

ANSWER: No, applications require the BCA and a Scope of Work. Other important components include:

- Cost of the project
- Useful life of the project
- Maintenance cost
- Age of the structure being mitigated
- Location of project (address or GPS coordinates)
- Historical damages before the mitigation project
- Recurrence intervals for before mitigation (if less than 3 historical events)
- Expected level of protection after mitigation (i.e., 100-year flood)
- Expected damages (avoided losses) before **and** after mitigation
- Other documentation to justify non-default inputs and assumptions made

30. QUESTION: What are 3 of the most common errors made while conducting BCA?

ANSWER: Typical errors include the following:

- Lack of supporting documentation for historical damages and other inputs
- Assumptions are unjustified and/or undocumented

- After-mitigation damages not included or inconsistent with level of protection in scope of work

31. QUESTION: Each declared disaster will have identified state/federal priorities assigned. Please review the priorities for DR-4480-NY?

ANSWER: The DR-4480-NY identified priorities are as follows:

1. Implementing cost effective mitigation projects
2. Multi-Jurisdictional Hazard Mitigation Plan Updates
3. Planning Enhancements and Planning Related Activities

32. QUESTION: What are cost effective mitigation project priorities for DR-4480-NY?

ANSWER: Additional state priorities are as follows:

- Infrastructure projects
- Disadvantaged communities & socially vulnerable areas
- Enhanced resiliency projects as identified within the NYS Standard Multi-Hazard Mitigation Plan

33. QUESTION: Please clarify who is eligible to apply for HMGP funding?

ANSWER: Eligible Subapplicants Include:

- Local Governments
- Indian Tribal Governments (may also apply directly to FEMA as Applicants)
- Certain Private Non-Profits ([PNP's] that perform a government like function)
- Eligible applicants under FEMA's Public Assistance (PA) program

34. QUESTION: Are individuals eligible to apply as a subrecipient?

ANSWER: No, individuals are not eligible to apply. Additionally, businesses and non-profit organizations are also not eligible. An eligible subapplicant may apply on behalf of individuals, businesses, and non-profit organizations.

35. QUESTION: Is maintenance or repair activities an eligible Mitigation Construction project?

ANSWER: No. Maintenance and or repair is never an allowable activity. Upgrade and improvements are the watchwords.

36. QUESTION: What is Property Acquisition and what are the essential elements?

ANSWER: The voluntary selling (by owner) and acquisition (local jurisdiction) of an existing flood-prone structure. The requirements are:

- The acquisition must be voluntary and
- After structure removal, the property must remain as open space in perpetuity and
- Home does not have to be damaged to qualify.

37. QUESTION: What is BFE?

ANSWER: BFE stands for Base Flood Elevation. The elevation to which the flood is anticipated to rise during the base flood. The base flood is also referred to as the 1-percent annual chance flood or 100-year flood. An elevation project must raise the underside of the bottom floor to this level plus the locally required amount of freeboard above that. This elevation is the basis of the insurance and floodplain management requirements of the National Flood Insurance Program (NFIP).

38. QUESTION: What do Non-localized Flood Risk Reduction Projects include?

ANSWER: Projects include the following:

1. Construction, demolition, or rehabilitation of dams;
2. Construction or modification of dikes, levees, floodwalls, seawalls, groins, jetties, breakwaters, and stabilized sand dunes;

3. Large-scale channelization of a waterway.

39. QUESTION: Where is Dry Floodproofing NOT permitted?

ANSWER: Anywhere in a Coastal; V Zone.

40. QUESTION: Miscellaneous/Other indicates that any proposed action will be evaluated on its own merits, what are some examples of these actions?

ANSWER: Actions that mitigate the following:

- more powerful storms
- frequent heavy precipitation
- heat waves
- prolonged droughts
- extreme flooding
- higher sea levels

40. QUESTION: Are sustainable nature-based actions permissible?

ANSWER: Yes.

41. QUESTION: The Social Vulnerability Index (SVI) is different for some communities from the State's EJ mapping which is up to date. Will DHSES accept the latter?

ANSWER: Yes. The project application allows applicants to qualify a project as benefiting a socially vulnerable area or population.

42. QUESTION: How can you determine if a community is disadvantaged or underserved?

ANSWER: Determination may be ascertained by use of the Social Vulnerability Index (SVI) or other supporting documentation. Disadvantaged Communities may be characterized by the following:

- Low income, High and/or persistent poverty
- High unemployment and underemployment
- Racial and ethnic segregation
- Linguistic isolation
- High housing cost burden and substandard housing
- Distressed neighborhoods
- High transportation cost burden and/or low transportation access
- Limited water and sanitation access

43. QUESTION: What is the goal of Justice40?

ANSWER: The goal of Justice40 is for 40% of federal funds benefit disadvantaged communities.

44. QUESTION: What is involved in the Scope of Work?

ANSWER: The Scope of Work must include the following:

- clearly states identified problem the project is attempting to mitigate and
- clear narrative about how the identified problem will be mitigated (project specifics) and
- anticipated mitigation outcome.

45. QUESTION: Technical Assistance will be made available to applicants, yes or no?

ANSWER: Yes, Technical Assistance will be made available for the following:

- Technical assistance with application development
- Assistance with BCA
- Assistance to applicants not familiar with the FEMA HMGP process