



Homeland Security and Emergency Services

The following plan is drafted utilizing the template provided by FEMA.

DRAFT- For Public Comment Only

INTENDED USE PLAN

Hazard Mitigation Revolving Loan Fund

Federal Fiscal Year 2023

Issued: May 2023

*STATE OF NEW YORK – DIVISION OF HOMELAND
SECURITY AND EMERGENCY SERVICES (DHSES)
DISASTER RECOVERY*

The State of New York

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Table of Contents

I.	Introduction	5
1.1.	Initial Year of New York State’s Hazard Mitigation Revolving Loan Fund (HM RLF)	5
II.	Uses of the Hazard Mitigation Revolving Loan Fund	6
2.1.	HM RLF Program Objectives.....	6
2.2.	HM RLF Program Goals.....	7
2.2.1.	Connection to Other Plans and Goals.....	7
2.2.2.	Mitigation and Resiliency Goals.....	8
2.2.3.	Short-Term Entity Safeguarding Tomorrow Revolving Loan Fund Goals.....	9
2.2.4.	Long-Term Entity Safeguarding Tomorrow Revolving Loan Fund Goal.....	10
2.3.	HM RLF Program Priorities.....	12
2.3.1.	Increase Resilience and Reduce Risk.....	11
2.3.1.1	HAZARD MITIGATION.....	11
2.3.1.2.	ZONING AND LAND-USE PLANNING.....	12
2.3.1.3.	BUILDING CODE ADOPTION AND ENFORCEMENT.....	12
2.3.1.4.	ADMINISTRATIVE AND TECHNICAL ASSISTANCE.....	13
2.3.2.	Partnerships.....	13
2.3.3.	Regional Impacts	13
2.3.4.	Major Economic Sectors and National Infrastructure.....	14
2.4.	Cost Share	15

III.	Criteria and Method for Distribution of Funds	16
3.1.	Loan Management Information	16
3.1.1.	Availability of Financial Assistance From the Entity Loan Fund.....	15
3.1.2.	Loan Application Process for Financial Assistance From the Entity Loan Fund....	15
3.1.3.	Financial Planning.....	15
3.1.4.	Short-, Medium-, and Long-term Financial Projections.....	15
3.2.	Criteria and Method for Loan Distribution	17
3.3.	Creating a Project Proposal List	18
3.3.1.	Prioritization Methodology.....	17
3.3.2.	Tie-Breaking Procedure.....	17
3.3.3.	Project Proposal List.....	18
IV.	Financial Management	20
4.1.	Financial Status of the New York State Safeguarding Tomorrow Revolving Loan Fund	20
4.1.1.	Sources of Assets in the Entity Loan Fund (Previous Fiscal Year).....	19
4.1.2.	Sources of Assets in the Entity Loan Fund (Current Fiscal Year).....	19
4.2.	Financial Terms of Loans	20
4.2.1.	Standard Loans.....	20
4.2.2.	Loans for Low-Income Geographic Areas or Underserved Communities.....	20
4.3.	Loan Disbursements	20
V.	Entity Program Management	21
5.1.	Local Capacity Development.....	221
5.2.	Environment and Historic Preservation Compliance	221

VI. Public Participation23

6.1. Public Meetings and Comment Activities23

VII. Audits and Reporting24

7.1. Compliance with Federal Reporting Requirements24

7.2. Publication of Information24

7.3. Loan Recipient Auditing and Reporting.....25

Appendix A26

A.1. Loan Application Process26

A.2. Financial Planning Methodology26

Appendix B27

B.1. Loan Distribution Methodology27

Appendix C27

C.1. Project Proposal List Prioritization Methodology28

Appendix D27

D.1. Additional Information.....29

I. Introduction

1.1. Initial Year of New York State’s Hazard Mitigation Revolving Loan Fund (HM RLF)

This table shows requirement from FEMA’s IUP template and are included as reference for reviewers during the public comment period.

Provide information about the following items:

- Summary of Intended Use Plan Purpose, including the fiscal year it covers
- Entity agency responsible for emergency management and oversight of programmatically administering the fund
- Body in charge of financially administering the fund (if financial administration is combined as described below)
- Any other entity, agency, or other party involved in administering the fund

The purpose of this Intended Use Plan (IUP) is to describe New York State’s (NYS) approach to the administration of the Hazard Mitigation State Revolving Loan Fund (HM RLF). The HM RLF program funds will be administered by the NYS Division of Homeland Security and Emergency Services (DHSES). DHSES is in charge of both programmatic oversight and fiscal administration of the HM RLF. This IUP outlines NYS’s priorities, policy, and evaluation criteria that DHSES will use to manage the program in Federal Fiscal Year (FFY) 2023.

On May 3, 2023, Governor Kathy Hochul signed into law Chapter 55 of the Laws of 2023, which allows for the establishment of the HM RLF. This legislation enables DHSES to make loans to local governments for eligible hazard mitigation activities, as defined in the Safeguarding Tomorrow through Ongoing Risk Management Act of 20202 (STORM Act).

The IUP is required as a part of the state’s application for the Federal Emergency Management Agency (FEMA) Safeguarding Tomorrow through Ongoing Risk Mitigation Revolving Loan Fund (STORM RLF). Through the STORM RLF program, the state will use these capitalization grants to establish a revolving loan fund from which direct loans will be provided to local governments for projects and activities that mitigate the impacts of drought, intense heat, severe storms (including hurricanes, tornadoes, windstorms, cyclones, and severe winter storms), wildfires, floods, earthquakes, and other natural hazards.

II. Uses of the Hazard Mitigation Revolving Loan Fund

2.1. HM RLF Program Objectives

This table shows requirements from FEMA's IUP template and are included as a reference for reviewers during public comment period.

- How will the entity loan fund provide loans to local governments most in need of financing assistance?
- How will the entity loan fund support hazard mitigation projects and activities to reduce risks from natural hazards for homeowners, businesses, nonprofit organizations, and communities by decreasing the loss of life and property, the cost of insurance, and federal disaster payments?

DHSES has established a set of priorities for the first year of the HM RLF program. The project priorities are:

1. Disadvantaged, underserved and Socially Vulnerable (as defined below) areas proposing projects to foster resilience.
2. Non-federal cost share for existing hazard mitigation projects.
3. Mitigation projects that address the following:
 - a) Localized flood risk reduction
 - b) Social stabilization
 - c) Infrastructure Retrofit
 - d) Generators
4. Projects not eligible under other HMA grants due to not passing a benefit cost analysis.

Evaluating loan applications based on social, economic, and environmental vulnerability. The scoring criteria assess loan applications using the Center for Disease Control (CDC) Social Vulnerability Index (SVI).

DHSES developed scoring criteria to evaluate the loan applications based on alignment to the State Hazard Mitigation Plan (HMP). This helps prioritize projects that are in line with existing programs and statewide priorities.

2.2. HM RLF Program Goals

2.2.1. Connection to Other Plans and Goals

This table shows requirements from FEMA's IUP template and are included as a reference for reviewers during public comment period.

Describe the integration of entity planning efforts, including entity hazard mitigation plans and other programs and initiatives relating to mitigation of major disasters carried out by such entity per 42 United States Code Section 5135(g)(2)(A).

New York State has several on-going statewide planning efforts that contribute to long-term resiliency.

[New York State Comprehensive Emergency Management Plan \(CEMP\)](#): The CEMP identifies the State's overarching policies, authorities, and response organizational structure to be implemented preceding and following an emergency or disaster situation, and is structured into three distinct, but interconnected volumes.

Volume 1: [New York State Hazard Mitigation Plan](#) addresses the State's overall hazard mitigation planning process, risk assessment, strategy development and plan implementation to reduce the State's vulnerability to disasters.

Volume 2: [State Response and Short-Term Recovery Plan](#) Identifies the State's overarching policies, authorities, and response and recovery organizational structure to be implemented in any emergency or disaster situation warranting a collective, multi-agency State response.

Volume 3: [State Long-Term Redevelopment Plan](#) Includes provisions for implementing long-term recovery and redevelopment activities and functions, including mitigation.

[New York County Emergency Preparedness Assessments \(CEPA\)](#): CEPA is a tool to help State and local stakeholders assess risk, capabilities, and the potential need for support and resources during emergencies or disasters. CEPA provides for a standardized and repeatable process to capture and analyze hazard and capability information and supports the Federal Emergency Management Association's (FEMA) annual Threat Hazard Identification and Risk Assessment (THIRA) requirement.

[New York Emergency Management Accreditation Program \(EMAP\)](#): The EMAP is the voluntary assessment and accreditation process for state and local government programs responsible for coordinating prevention, mitigation, preparedness, response, and recovery activities for disasters. EMAP establishes credible standards applied in a peer review accreditation process. New York's Emergency Management Program was first accredited in 2007, again in 2014, and is due for re-accreditation in 2019. The process affords opportunities for integration and includes standards that are specific to hazard mitigation planning and the SHMP. These standards address: (a) the State's process for hazard identification, risk assessment and consequence analysis, and (b) the State's ability to properly utilize mitigation resources to mitigate effects of hazards.

2.2.2. Mitigation and Resiliency Goals

This table shows requirements from FEMA's IUP template and are included as a reference for reviewers during public comment period.

Provide information about the mitigation and resiliency benefits the entity intends to achieve per 42 United States Code Section 5135(g)(2)(B), such as:

- Reducing future damage and loss associated with hazards
- Reducing the number of severe repetitive loss structures and repetitive loss structures in the entity
- Decreasing the number of insurance claims in the entity from injuries resulting from major disasters or other natural hazards
- Increasing the rating under the National Flood Insurance Program's Community Rating System (CRS) for communities in the entity

The mitigation and resiliency benefits NYS intends to achieve are as follows:

- Promote a comprehensive state hazard mitigation policy framework for effective mitigation programs that includes coordination among federal, state, and local organizations for planning and programs.
 - Protect existing property including public, historic, private structures, state-owned/operated buildings, and critical facilities and infrastructure.
 - Increase awareness of hazard risk and mitigation capabilities among stakeholders, citizens, elected officials, and property owners to enable the successful implementation of mitigation strategies.
 - Encourage the development and implementation of long-term, cost effective, and resilient mitigation projects to preserve or restore the functions of natural systems.
 - Build stronger by promoting mitigation actions that emphasize sustainable construction and design measures to reduce or eliminate the impacts of natural hazards now and in the future.
-

2.2.3. Short-Term Entity Safeguarding Tomorrow Revolving Loan Fund Goals

This table shows requirements from FEMA's IUP template and are included as a reference for reviewers during public comment period.

Include a list of short-term goals that will guide the decision-making for the entity loan fund per 42 United States Code, Section 5135(g)(2)(G). Entities may define their specific short-term goals according to the needs of the entity or local communities. Short-term goals may include outputs and outcomes that can be measured during the period of performance.

The following prompts may support creation of short-term goals:

- How will the entity loan fund support recipients with completing projects?
- How will the entity loan fund efficiently disburse loans to recipients?
- How will the entity loan fund monitor and evaluate recipient project implementation?
- How will the entity coordinate with low-income geographic areas and underserved communities? Refer to Appendix D for more information and definitions of these topics.
- How will the entity identify and arrange projects that advance program priorities quickly and efficiently?

DHSES recognized that current Hazard Mitigation grant funding does not fully address NYS's hazard mitigation and resilience needs. Local Governments may lack resources to meet the non-federal cost share for Hazard Mitigation Assistance (HMA) grants. The HM RLF will be used to facilitate financings from the FFY 2023 Safeguarding Tomorrow through Ongoing Risk Mitigation Revolving Loan Fund (STORM RLF) capitalization grant to local governments for eligible hazard mitigation projects in their entirety, or the non-federal cost share requirement for other FEMA HMA grants.

DHSES will monitor projects' effectiveness and adherence to the intent of the loan program via regular check-ins with program participants in the form of quarterly reporting, and site visits. This will allow DHSES to monitor progress and ensure alignment with statewide resilience goals.

DHSES will efficiently disburse loans to recipients by reviewing applicants timely. DHSES anticipates disbursing funds within 9 months of receiving funding from FEMA by working closely with all applicants. As with other HMA initiatives DHSES staff will coordinate with communities defined as low-income and underserved. DHSES will continue to prioritize projects that serve disadvantaged communities, provide the non-federal match for mitigation grants, and address priority hazards in the state. In addition, DHSES will prioritize projects that do not qualify for other HMA funding due to a non-passing Benefit Cost Analysis (BCA).

2.2.4. Long-Term Entity Safeguarding Tomorrow Revolving Loan Fund Goals

This table shows requirements from FEMA's IUP template and are included as a reference for reviewers during public comment period.

Include a list of long-term goals that will guide the decision-making for the entity loan fund per 42 United States Code Section 5135(g)(2)(G). Entities may define their specific long-term goals according to the needs of the entity or local communities. Long-term goals may include outputs and outcomes that can be measured during the period of performance, the advancement of construction and implementation in phasing, coordination with recipients, etc.

The following prompts may support creation of long-term goals:

- How will the entity loan fund be managed to maintain a perpetual source of funds for future eligible uses?
- What are the financial metrics the entity will use to ensure the fund is efficiently managed and effective in perpetuity?
- How will the entity loan fund continue to prioritize projects effectively and transparently?
- How will the entity coordinate with local communities to ensure a consistent pipeline of eligible projects are submitted and ready for funding?
- How will the entity promote equity for low-income geographic areas and underserved communities throughout the life of the entity loan fund?
- How will the entity strategically align current and future assets with local projects in need of funding? What mechanisms will be included to ensure effective use of capitalization grants and revolving income?
- How will the entity maintain compliance with federal requirements of the loan fund?
- How will the entity support recipients in complying with federal requirements?

DHSES has also established long-term goals which guide NYS in meeting the needs of communities participating in the HM RLF program.

DHSES will issue project loans utilizing the initial FEMA funding, and state match. DHSES intends to also utilize the interest on loans to create a self-sustaining program. If needed, in subsequent years DHSES will apply for additional capitalization grants to permit additional lending. NYS's priorities for the HM RLF align with other HMA programs under DHSES's responsibility. In addition, the NYS mitigation priorities will continue to be reflected in the NYS Hazard Mitigation State Plan. Consistent with current practices, DHSES will continue to coordinate and work closely with local communities to ensure a consistent pipeline of eligible projects to then be submitted and reading for funding.

It is DHSES's intent to continue to promote equity for low-income geographic areas and underserved communities throughout the life of the HM RLF. In addition, DHSES will continue to strategically align current and future assets with local projects in need of funding as outlined in the state's priorities. In addition, DHSES will maintain compliance with federal requirements of the loan funding and support recipients in complying with federal requirements.

2.3. HM RLF Program Priorities

This table shows requirements from FEMA's IUP template and are included as a reference for reviewers during public comment period.

Complete the following sections using information from the development of your Project Proposal List.

2.3.1. Increase Resilience and Reduce Risk

This table shows requirements from FEMA's IUP template and are included as a reference for reviewers during public comment period.

How will the entity loan fund support projects that increase resilience and reduce risk of harm to natural and built infrastructure per 42 United States Code Section 5135(d)(3)(A)? The following subsections offer potential actions to increase resilience and reduce risk.

DHSES will support projects that increase resiliency and reduce risk of harm to infrastructure. The overall goal of the HM RLF is to support local jurisdictions as they work to address the priority hazards in line with the state plan and their local plan.

2.3.1.1. HAZARD MITIGATION

This table shows requirements from FEMA's IUP template and are included as a reference for reviewers during public comment period.

Provide information that addresses the following prompts:

- How will the entity administer loans to support hazard mitigation planning efforts per 42 United States Code Section 5135(f)(1)(B)?
- How will the entity loan fund be used to support local hazard mitigation activities that reduce the impacts of natural hazards per 42 United States Code Section 5135(f)(3)? Include which hazards the entity plans to address. Eligible natural hazards mitigated may include:
 - Drought and prolonged episodes of intense heat
 - Severe storms, including hurricanes, tornadoes, windstorms, cyclones, and severe winter storms
 - Wildfires
 - Earthquakes
 - Flooding, including the construction, repair, or replacement of a nonfederal levee or other flood control structure
 - Shoreline erosion
 - High water levels
 - Storm surges

DHSES will administer the HM RLF to support various hazard mitigation activities that address natural hazards such as severe storms and wind events, and flooding. Flooding includes highwater levels, inland flooding and storm surges. Loan applications will also be evaluated against the NY State Hazard Mitigation Plan. In addition, loan applications will be scored using previously described criteria.

2.3.1.2. ZONING AND LAND-USE PLANNING

This table shows requirements from FEMA's IUP template and are included as a reference for reviewers during public comment period.

If loan fund will include projects for zoning and land-use planning, provide information that addresses the following prompts:

- How will the entity loan fund be used to implement zoning and land-use planning changes per 42 United States Code Section 5135(f)(4)? The following bullets display authorized types of use for zoning and land use.
- Development and improvement of zoning and land-use codes to incentivize and encourage low-impact development, resilient wildland-urban interface land management and development, natural infrastructure, green stormwater management, conservation areas adjacent to floodplains, implementation of watershed or greenway master plans, and reconnection of floodplains
- Study and creation of agricultural risk compensation districts where there is a desire to remove or set-back levees protecting highly developed agricultural land to mitigate for flooding, thereby allowing agricultural producers to receive compensation for assuming greater flood risk that would alleviate flood exposure to population centers and areas with critical national infrastructure
- Study and creation of land-use incentives that reward developers for greater reliance on low-impact development stormwater best management practices, thereby exchanging
- density increases for increased open space and improvement of neighborhood catch basins to mitigate urban flooding, reward developers for including and augmenting natural infrastructure adjacent to and around building projects without reliance on increased sprawl, and reward developers for addressing wildfire ignition
- Study and creation of an erosion response plan that accommodates river, lake, forest, plains, and ocean shoreline retreating or bluff stabilization due to increased flooding and disaster impacts

At this time zoning and land-use planning are not earmarked as priority activities for the HM RLF.

2.3.1.3. BUILDING CODE ADOPTION AND ENFORCEMENT

This table shows requirements from FEMA's IUP template and are included as a reference for reviewers during public comment period.

If the fund will be used to support building code adoption and enforcement, provide information that addresses the following prompt:

- How will the entity loan fund be used to support building code enforcement and development per 42 United States Code Section 5135(f)(5)?

At this time building code adoption and enforcement are not earmarked as priority activities for the HM RLF.

2.3.1.4. ADMINISTRATIVE AND TECHNICAL ASSISTANCE

This table shows requirements from FEMA's IUP template and are included as a reference for reviewers during public comment period.

If applicable, provide information that addresses the following prompts:

- How will the entity loan fund be used to pay the administrative costs for establishing and implementing the entity loan fund per 42 United States Code Section 5135(f)(6)(A)?
- What is the anticipated percentage of funding for this fiscal year that will be used as administrative costs?
- How will the entity loan fund be used for technical assistance to recipients per 42 United States Code Section 5135(f)(6)(B)?
- What is the anticipated percentage of funding for this fiscal year that will be used for technical assistance?

In accordance with the guidelines set forth by FEMA, DHSES intends to use no more than \$100,000 per year, 2 percent of the capitalization grants made in that fiscal year, or 1 percent of the value of the entity loan fund, whichever is greater, for DHSES's administration of the loan fund.

These funds may also be used to off-set DHSES's administrative costs to provide technical assistance to recipients of the NYS HMRLF.

2.3.2. Partnerships

This table shows requirements from FEMA's IUP template and are included as a reference for reviewers during public comment period.

How will the entity loan fund involve a partnership between two or more eligible entities to carry out a project or similar projects per 42 United States Code Section 5135(d)(3)(B)?

Partnerships between eligible loan applicants may support mitigation that benefits a larger area; as like or complimentary projects surface, DHSES may encourage applicants to work in partnership where possible and within the confines of federal, state, and local laws.

DHSES requires that one applicable jurisdiction submit the loan application on behalf of the partnership and be the signatory for each project they are applying for. Any project proposal caps will remain in effect.

2.3.3. Regional Impacts

This table shows requirements from FEMA's IUP template and are included as a reference for reviewers during public comment period.

How will the entity loan fund support projects that consider regional impacts of hazards on river basins, river corridors, micro-watersheds, macro-watersheds, estuaries, lakes, bays, and coastal regions and areas at risk of earthquakes, tsunamis, droughts, severe storms, and wildfires, including the wildland-urban interface per 42 United States Code Section 5135(d)(3)(C)?

At times resiliency requires regional solutions as such DHSES will apply the HM RLF to support regional solution where feasible. Any project proposal caps will remain in effect.

2.3.4. Major Economic Sectors and National Infrastructure

This table shows requirements from FEMA's IUP template and are included as a reference for reviewers during public comment period.

How will the entity loan fund support projects that increase the resilience of major economic sectors or critical national infrastructure, including ports, global commodity supply chain assets (located within an entity or within the jurisdiction of local governments, insular areas, and Indian tribal governments), power, and water production and distribution centers, and bridges and waterways essential to interstate commerce per 42 United States Code Section 5135(d)(3)(D)? Reference FEMA's Community Lifelines resources (<https://www.fema.gov/emergency-managers/practitioners/lifelines>) to inform the content.

DHSES will promote the protection of infrastructure and utilize the HM RLF to support qualifying projects that apply for loan funding.

2.4. Cost Share

This table shows requirements from FEMA's IUP template and are included as a reference for reviewers during public comment period.

An entity loan fund may provide a loan to a local government for its non-federal cost share requirement of a grant under one of FEMA's HMA grant programs, provided that the use is otherwise in accordance with all applicable legal and programmatic requirements. An applicant should list any potential projects where a loan may be utilized for this purpose in the project proposal list submitted with its application. Federal funds that are used to meet the non-federal cost-share requirement must meet the purpose and eligibility requirements of both the relevant HMA grant program and the Safeguarding Tomorrow RLF program. Local governments interested in using loan funding as matching funds for a HMA grant should work with the applying entity to understand funding priorities, ensure the project is captured in the entity's Intended Use Plan and project proposal list, and to align loan funding with project and grant timelines. Entities are not limited in the percentage of funding that can be dedicated for this eligible use of funds by loan recipients.

If applicable, provide information that addresses the following prompts:

- How will the entity loan fund be used to support loan recipients paying the cost share for federal and nonfederal grants? What is(are) the name(s) of the other grant program(s) for which the loans will provide matching funds?

DHSES encourages loans for local governments to satisfy a local government's non-federal cost care requirement for other FEMA Hazard Mitigation Assistance (HMA) grant programs, such as the Hazard Mitigation Grant Program, Building Resilient Infrastructure and Communities, and Flood Mitigation Assistance grant programs.

To align with timelines of award dates for these programs the loan applicant will need to list all possible cost share loans in the application to allow options to award loans to those projects. HM RLF used to meet the non-federal cost-share requirement must meet the purpose and eligibility requirements of the relevant HMA grant program and the HM RLF.

III. Criteria and Method for Distribution of Funds

3.1. Loan Management Information

This table shows requirements from FEMA's IUP template and are included as a reference for reviewers during public comment period.

Provide the following information:

- What is the availability of financial assistance from the entity loan fund per 42 United States Code Section 5135(g)(2)(C)?
- What is the loan application process for financial assistance from the entity loan fund per 42 United States Code Section 5135(g)(2)(C)?
- How will the entity use financial planning to ensure funding is available in the future?
- What does the entity's short-, medium-, and long-term financial projections look like?

NOTE: If available, provide detailed loan application process and/or financial planning methodology and supporting materials in Appendix A and include a reference in your explanation above.

3.1.1. Availability of Financial Assistance From the Entity Loan Fund

DHSES is applying for \$15.0 million in FFY 2023 STORM STRLF funding. In the first year, it is anticipated that \$16.2 million will be available to applicants. The assumes a capitalization grant of \$15.0 million, of which 98 percent will be made available to applicants, as well as the required 10 percent state match of \$1.5 million.

3.1.2. Loan Application Process for Financial Assistance From the Entity Loan Fund

The loan application and instructions will be posted to the DHSES website and will follow a similar process to an existing revolving loan program that DHSES currently administers. A final detailed loan application process has yet to be developed.

3.1.3. Financial Planning

At the time of submitting a loan application, applicant will provide a project plan detailing the strategies, goals, and implementation plans for the funds to be received. In addition, the applicant must provide assurance that they can make interest and principal payments.

3.1.4. Short-, Medium-, and Long-term Financial Projections

DHSES projects a loan fund of \$16.5 million in the first year (FFY 2023). This consists of a \$16.5 million capitalization grant and a \$1.5 million state match, or 10 percent, as required. DHSES will make \$16.2 million available to applicants in the first year. The remaining \$300,000, or 2 percent of the capitalization grant, will be withheld to support DHSES loan fund administration costs. It is not

expected that DHSES will receive any principal or interest repayments until the third year of the program.

DHSES anticipates an additional \$15.0 million in FFY 2024 STORM STRLF grant funding to support the second year of the program. This would make available another \$16.2 million to applicants, assuming state match requirements and allowable M&A costs remain consistent with the first year of the program. As stated above, no principal or interest repayments are expected in the second year of the program.

For the third year of the program and possibly years thereafter, DHSES projects \$15.0 million in federal capitalization grant awards. This would continue to make available \$16.2 million annually to applicants, assuming state match requirements and allowable M&A costs remain consistent with the first year of the program. In the third year, DHSES projects the first principal and loan repayments will be received, up to approximately \$400,000. Principal and interest repayments will increase each year thereafter as more funded projects are completed.

3.2. Criteria and Method for Loan Distribution

This table shows requirements from FEMA's IUP template and are included as a reference for reviewers during public comment period.

Provide the following information:

- What are the entity's criteria and methods for disbursing funds to loan recipients per 42 United States Code Section 5135(g)(2)(D)? The following prompts may support defining criteria and methods.
- How will the entity determine if loan applicants have the required technical, financial, and managerial capacity to ensure compliance?
- How will the entity loan fund target funding for low-income geographic areas and underserved communities? How will interest rates differ?
- How will the entity determine different types of assistance and interest rates for loan applicants based on their needs?
- How will the entity monitor the performance of the loan applicant and ensure compliance?

NOTE: If applicable, provide a complete loan distribution methodology in Appendix B.

Each application will be reviewed by DHSES staff to determine appropriateness of the proposed project, as well as each applicant's capacity to properly manage the loan and project according to the funding requirements. Financial health of each applicant will also be considered during the review process.

3.3. Creating a Project Proposal List

This table shows requirements from FEMA's IUP template and are included as a reference for reviewers during public comment period.

Entities are required to submit a list of project proposals that comprises local government hazard mitigation projects per 42 United States Code Section 5135(b)(1)(A). These lists should be prioritized to identify how the entity will use the capitalization grant funds.

The initial project proposal list, for the first cycle of the HM RLF will be based on the project proposals submitted via the Public Notice.

3.3.1. Prioritization Methodology

This table shows requirements from FEMA's IUP template and are included as a reference for reviewers during public comment period.

Provide a summary methodology about how the entity loan fund prioritized projects in the Project Proposal Lists. FEMA recommends creating a ranking system to determine the priority order of projects to be funded. Categories for ranking may include, but are not limited to:

- Duration of a project (multi-year vs. annual)
- Population served
- Projects aligned with the statutory objectives
- Projects aligned with the Hazard Mitigation Plan
- Readiness to Proceed
- Projects that promote equity objectives

NOTE: Provide a complete ranking system for prioritization in Appendix C.

DHSES has established a set of priorities to rank HM RLF applications submitted:

- Equitable Resilience: disadvantaged, underserved and socially vulnerable areas with eligible projects
- Cost share: non-federal cost share for exiting HMA programs funded by FEMA
- Risk reduction: Localized Flood Risk Reduction projects, Soil Stabilization, Infrastructure Retrofit

3.3.2. Tie-Breaking Procedure

This table shows requirements from FEMA's IUP template and are included as a reference for reviewers during public comment period.

Provide information about how the entity will determine which project to select if the projects have equal scores.

DHSES reserves the right to exercise discretion when it comes to funding projects and priorities. SVI will be the final determiner of scoring. If projects have equal scores, but one is non-SVI, that would be ranked 2nd. If projects are tied and both are SVI, the higher SVI is ranked first. If projects are tied, both are SVI, and have equal SVI scores, then the lower population is ranked first.

3.3.3. Project Proposal List

This table shows requirements from FEMA's IUP template and are included as a reference for reviewers during public comment period.

Provide confirmation that the entity submitted a Project Proposal List with the grant application. NOTE: FEMA offers a Project Proposal List template spreadsheet to support the entity with drafting.

IV. Financial Management

4.1. Financial Status of the New York State Safeguarding Tomorrow Revolving Loan Fund

This table shows requirements from FEMA's IUP template and are included as a reference for reviewers during public comment period.

Address the financial status of the entity loan fund per 42 United States Code Section 5135(g)(2)(G). FEMA suggests compiling a table using the following prompts:

- For the previous fiscal year:
 - Provide information about the sources of assets in the entity loan fund, including capitalization grant, entity match, bonds, loan principal repayments, loan interest repayments, and investment earnings.
 - Provide information about the uses of assets of the entity loan fund, including administrative expenses, transfers, capital projects, and bond debt service.
 - If applicable, include information about any loan refinancing activity.
- For the current fiscal year:
 - Provide information about the sources of assets in the entity loan fund, including capitalization grant, entity match, bonds, loan principal repayments, loan interest repayments, and investment earnings.
 - Provide information about the uses of assets of the entity loan fund, including administrative expenses, transfers, capital projects, and bond debt service.
 - If applicable, include information about any loan refinancing activity.

As identified above, 98 percent of the capitalization grant will be available for HM SRF loans to eligible projects. The attached Proposed Project List (PPL) includes all projects determined by DHSES to be potential recipients of HM SRF funding.

4.1.1. Sources of Assets in the Entity Loan Fund (Previous Fiscal Year)

Not applicable.

4.1.2. Sources of Assets in the Entity Loan Fund (Current Fiscal Year)

Chapter 55 of the Laws of 2023 authorizes the establishment of the HM RLF in State Fiscal Year 2023-24. It will consist of the capitalization grant, the required 10 percent state match. No principal or interest repayments are expected in the current fiscal year. The loan fund will not include any bonds or investment earnings.

DHSES will withhold 2 percent of the capitalization grant for DHSES loan fund administration costs. The remaining 98 percent of the capitalization grant and the entirety of the required non-federal match will be available to applicants.

4.2. Financial Terms of Loans

4.2.1. Standard Loans

This table shows requirements from FEMA's IUP template and are included as a reference for reviewers during public comment period.

Provide information on standard loan terms per 42 United States Code Section 5135(g)(2)(F).

Standard loans will be issued with an interest rate of 1.0 percent. Loan term will be 20 year or less following completion of the funded project.

4.2.2. Loans for Low-Income Geographic Areas or Underserved Communities

This table shows requirements from FEMA's IUP template and are included as a reference for reviewers during public comment period.

Provide information about loan terms for communities that are categorized as low-income geographic areas or underserved.

Loans for low-income geographic areas or underserved communities will be issued with an interest rate of 1.0 percent. Loan term will be 30 year or less following completion of the funded project.

4.3. Loan Disbursements

This table shows requirements from FEMA's IUP template and are included as a reference for reviewers during public comment period.

Provide information on the following prompts:

- What is the anticipated amount of financial assistance the entity loan fund plans to disburse as loans for Fiscal Year (YEAR) per 42 United States Code Section 5135(g)(2)(E)?
- What is the entity loan funds' utilization goal?
 - The fund utilization goal is a performance measure used to evaluate how efficiently entity loan funds are disbursing capitalization grants as loans. The calculation is cumulative assets divided by cumulative funds available for projects. Entities establish a target measure that best aligns with their specific needs. FEMA recommends that entities target pace levels near or above 100%. Entities that are lagging in this measure, or have declining pace levels, may need to review loan policies and procedures as well as outreach techniques. Entities with pace levels greater than 100% are generally practicing advanced loan commitment.
- Has the entity worked with local governments to understand potential revenue streams that can support projects and activities that are not revenue-producing per 42 United States Code Section 5135(f)(1)(A)(iii)?

DHSES anticipates full disbursement of the \$16.2 million that will be made available to applicants, assuming award of the full requested capitalization grant. Funds will be disbursed to applicants via the New York State Statewide Financial System (SFS). DHSES will target 100 percent loan fund utilization.

V. Entity Program Management

5.1. Local Capacity Development

This table shows requirements from FEMA's IUP template and are included as a reference for reviewers during public comment period.

Provide information about how the entity loan fund is supporting local communities through capacity development.

Staff positions and outside contractors may be funded to provide entities with the tools and financial assistance they need to obtain and maintain the technical, financial, and managerial capacity needed.

5.2. Environment and Historic Preservation Compliance

This table shows requirements from FEMA's IUP template and are included as a reference for reviewers during public comment period.

Describe the entity's plan for implementing Environmental Planning and Historic Preservation (EHP) compliance procedures, including how proposed projects will be pre-screened, and which activity types will be submitted to FEMA for EHP review.

NOTE: FEMA will provide entities with guidance and materials to complete this section.

All project applications with potential Environmental Planning and Historic Preservation (EHP) impact will be provided to FEMA to screen for EHP compliance.

VI. Public Participation

6.1. Public Meetings and Comment Activities

This table shows requirements from FEMA's IUP template and are included as a reference for reviewers during public comment period.

Provide information on the following items:

- How has the entity incorporated public comment and review, and consultation, with appropriate government entities and interested groups, prior to annual Intended Use Plan submission?
- How has the entity engaged public meetings and comment activities performed in support of entity loan fund implementation?
- Describe the public notice process and actions taken to address public comments for project proposals.

New York State released the Public Notice for the HM RLF on March 16, 2023. DHSES requested information with the intent of applying for a capitalization grant under the Federal Emergency Management Agency (FEMA) Safeguarding Tomorrow Revolving Loan Fund (STORM RLF).

Any eligible proposals received are included as part of the DHSES application.

VII. Audits and Reporting

7.1. Compliance with Federal Reporting Requirements

This table shows requirements from FEMA's IUP template and are included as a reference for reviewers during public comment period.

Complete the template language below:

Ensuring transparency and accountability, all program materials are posted on our website (Entity Website). We will utilize the services of an (enter preferred auditing agency [e.g., outside Certified Public Accounting firm]) to conduct an independent audit to ensure financial integrity for the Annual and Biennial Audits.

We commit to entering project and benefits data into the FEMA Non-Disaster Grants system (ND Grants) and financial data in Payment and Reporting System (PARS) to support the evaluation of the (Entity Name) Safeguarding Tomorrow RLF program. Among other parameters, FEMA will use the data from the audits and reporting to evaluate how the entity loan funds:

- Efficiently administer the fund
- Provide project benefits to local communities
- Promote equity

We will enter project benefits data into ND Grants by the end of the quarter in which the capitalization grant is received. After the period of performance, we will enter required project benefits data into FEMA's ND Grants by the end of the fiscal year for this Intended Use Plan.

DHSES commits to entering project and benefits data into the FEMA Non-Disaster Grants system (ND Grants) and financial data in Payment and Reporting System (PARS) to support the evaluation of the New York State Hazard Mitigation Revolving Loan Fund (HMRLF) program.

We will enter project benefits data into ND Grants by the end of the quarter in which the capitalization grant is received. After the period of performance, we will enter required project benefits data into FEMA's ND Grants by the end of the fiscal year for this Intended Use Plan.

7.2. Publication of Information

This table shows requirements from FEMA's IUP template and are included as a reference for reviewers during public comment period.

Provide information about the frequency and location of the Publication of Information requirement per 42 United States Code Section 5135(h)(2).

NOTE: The recipient should publish information publicly on a preferred platform and at intervals most suitable to the recipient during, and after, the period of performance.

DHSES will utilize the existing DHSES website to publish transparent, relevant, and accurate information pertaining to the HM RLF program. The HM RLF webpage will house relevant

information for each project that was awarded HM RLF, such as:

- Project Name
- Location of the Project
- Type and amount of assistance provided from the revolving loan fund
- Expected funding schedule
- Anticipated date of completion of the project

7.3. Loan Recipient Auditing and Reporting

This table shows requirements from FEMA's IUP template and are included as a reference for reviewers during public comment period.

Provide information about how the entity loan fund will monitor and evaluate the performance of loan recipients in their use of funds, if applicable.

In accounting for the receipt and expenditure of funds under the loan program, the loan recipient shall follow Generally Accepted Accounting Principles ("GAAP"). As defined by 2 C.F.R. § 200.49, GAAP has the meaning specified in accounting standards issued by the Government Accounting Standards Board (GASB) and the Financial Accounting Standards Board (FASB).

When conducting an audit of a loan recipient's performance under this loan program, the parties may use, but are not limited to the use of, Generally Accepted Government Auditing Standards ("GAGAS"). As defined by 2 C.F.R. § 200.50, GAGAS, also known as the "Yellow Book," means generally accepted government auditing standards issued by the Comptroller General of the United States, which are applicable to financial audits.

Appendix A

A.1. Loan Application Process

A.2. Financial Planning Methodology

Appendix B

B.1. Loan Distribution Methodology

Appendix C

C.1. Project Proposal List Prioritization Methodology

Appendix D

D.1. Additional Information

This table shows requirements from FEMA's IUP template and are included as a reference for reviewers during public comment period.

Low-Income Geographic Area

Pursuant to 42 United States Code Section 5165(m)(6), a “low-income geographic area” is an area, pursuant to 42 United States Code Section 3161(a)(1), that meets one of the two following criteria: (1) “the area has a per capita income of 80% or less of the national average,” or (2) “the area has an unemployment rate that is, for the most recent 24-month period for which data are available, at least 1% greater than the national average unemployment rate.”

Underserved Communities

Executive Order 13985, Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, defines “underserved communities” as “populations sharing a particular characteristic, as well as geographic communities, that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life...” and includes communities such as Black, Latino, and Indigenous and Native American persons, Asian Americans and Pacific Islanders and other persons of color; members of religious minorities; lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality.

As used in this document, underserved communities also include “communities environmentally overburdened,” which are communities adversely and disproportionately affected by environmental and human health harms or risks, and “disadvantaged communities,” as referenced in Executive Order 14008, Tackling the Climate Crisis at Home and Abroad, and defined in Office of Management and Budget’s Memo M-21-28: Interim Implementation Guidance for the Justice40 Initiative.