

NOTICE OF AVAILABILITY OF STATE AND FEDERAL FUNDS

Office of Homeland Security
1220 Washington Ave.
State Office Building Campus, Bldg. 7A
Albany, NY 12242

LOCAL GOVERNMENT ENTITIES

Critical Infrastructure Grant Program (CIGP)

The purpose of this request for grant applications is to invite eligible public safety organizations to apply for grant funds under the state Critical Infrastructure Grant Program (CIGP). Grants will be awarded to promote a common understanding of, and approach to, risk management. Specifically this grant program provides an opportunity for local first responders to mitigate risks and gaps that are identified by using the National Infrastructure Protection Plan (NIPP), Risk Management Framework.

ELIGIBLE RECIPIENTS: Applications will be accepted from local governmental entities.

Applications will be accepted through 11:59 pm on February 1, 2012 through the State's Electronic Grants Management System (E-Grants). For the Request for Applications (RFA) please visit the Division of Homeland Security and Emergency Services (DHSES) website at <http://www.dhSES.ny.gov/grants/rfa-ci.cfm> or DHSES's Grant Hotline at (866) 837-9133.

Office of Homeland Security
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HAZARD MITIGATION GRANT PROGRAM

FUNDS AVAILABLE FOR: Developing and Updating Hazard Mitigation Plans & Implementing Hazard Mitigation Projects

DATE ANNOUNCED: December 22, 2011

LETTERS OF INTENT DUE: January 31, 2012 & February 29, 2012 (and beyond for some project types, please refer to details below)

The New York State Office of Emergency Management (State OEM) is pleased to announce the availability of Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP) funds associated with the following Presidential disaster declarations:

DR-1957:	Severe Winter Storm and Snowstorm
DR-1993:	Severe Storms, Flooding, Tornadoes and Straight-line Winds
DR-4020:	Hurricane Irene
DR-4031:	Remnants of Tropical Storm Lee

Please note: The State has revised its standard program delivery and deadlines in this grant cycle to accommodate the requests and

priorities of flood-affected communities. Please read this notice carefully to take full advantage of all funding opportunities.

What is the HMGP?

After a Presidential declaration, FEMA provides HMGP funds for States to administer grant programs that support local hazard mitigation planning and long-term hazard mitigation measures to reduce the loss of life and damages to improved property from natural disasters.

- The State of New York, acting through State OEM, is the applicant for FEMA's HMGP.
- Eligible sub-applicants are State-level agencies, Federally-recognized Indian Tribal Governments, local governments (to include State-recognized Indian Tribes and authorized Indian Tribal organizations), and certain Private Non-Profits (PNPs) that perform a government-like function. Agencies and groups determined to be eligible applicants under FEMA's Public Assistance (PA) program that helps rebuild facilities and infrastructure after a disaster are eligible sub-applicants under the HMGP.
- Private individuals, businesses and institutions may not apply for HMGP assistance, but eligible local governments or PNPs may apply on their behalf.
- Generally speaking, sub-applicants seeking project funds must be covered by a current all-hazards mitigation plan at the time of award. (A current mitigation plan is one approved by FEMA and adopted by the community; some plans cover individual communities while others were prepared as regional or county-wide efforts.) Sub-applicants may not be able to meet this guidance if their plan has expired, or will soon expire; those sub-applicants who have begun updating their plans should contact State OEM to review plan status and the options available to them.
- FEMA funds provide 75% reimbursement of eligible costs, up to the amount of the award. In-kind services or materials may be used toward the 25% non-Federal match. And while most Federal funds cannot be used for the non-Federal match, there are some exceptions:
 - Increased Cost of Compliance (ICC) payouts from a National Flood Insurance Program (NFIP) policy;
 - U.S. Dept. of Housing & Urban Development (HUD) Community Development Block Grant (CDBG) funds;
 - Please see www.dhSES.ny.gov/oem/mitigation/documents/FY2011-HMA-Unified_Guidance.pdf (page 9) for a complete listing.

Please note: When preparing budgets, potential sub-applicants and/or property owners should assume that they will be responsible for the non-federal share.

- Projects must be cost-effective as determined by a Benefit-Cost Analysis (BCA) verifying that future benefits (the losses to be avoided) are equal to or greater than the project's cost. See Hazard Mitigation Project Grants below for information about BCAs for acquisition projects under the HMGP program and this grant cycle.
- More information about the HMGP, including all FEMA program requirements, is available at www.dhSES.ny.gov/oem/mitigation/documents/FY2011-HMA-Unified_Guidance.pdf.

Please note: FEMA has four other mitigation programs: the Pre-Disaster Mitigation (PDM), Flood Mitigation Assistance (FMA), Repetitive Flood Claims (RFC) and Severe Repetitive Loss (SRL)

Programs. These programs are announced annually each spring, subject to appropriation, and are not made available with this canvass letter or its attachments.

State Priorities

HMGP funding will be available Statewide. However, given the recent widespread severe flooding related to Hurricane Irene and Tropical Storm Lee, the State will give preference to projects that:

- Are in the following declared counties for the four disasters covered by this announcement: Albany, Allegany, Bronx, Broome, Chemung, Chenango, Clinton, Columbia, Delaware, Dutchess, Essex, Franklin, Fulton, Greene, Hamilton, Herkimer, Kings, Lewis, Livingston, Madison, Montgomery, Nassau, New York, Niagara, Oneida, Onondaga, Ontario, Orange, Otsego, Putnam, Queens, Rensselaer, Richmond, Rockland, Saratoga, Schenectady, Schoharie, Steuben, Sullivan, Suffolk, Tioga, Tompkins, Ulster, Warren, Washington, Westchester, Wyoming and Yates;
- Realize permanent flood mitigation solutions (e.g., removing properties from a floodplain);
- Significantly reduce a property’s risk from flooding (e.g., structure elevation, or alternatives that provide benefits similar to property acquisition and elevation projects).

Sub-applicants are encouraged to review the strategies and projects in their mitigation plans to see if revisions are warranted based on the recent flooding. This will also help identify projects that:

- Provide a comprehensive approach to floodplain management (e.g., address flooding at the neighborhood or street level instead of developing isolated or patchwork solutions);
- Achieve and reinforce a community’s comprehensive long-range goals as identified through coordination with the NYS Departments of State (DOS) and Environmental Conservation (DEC), State Historic Preservation Office (SHPO), the Upstate Storm and Flooding Recovery Task Force, FEMA’s Community Recovery programs (ESF-14), and other local and regional plans and objectives;
- Support Federal and State goals like removing structures from Coastal Barrier Resource System Units and floodways, taking advantage of the most current National Flood Insurance Program (NFIP) mapping data, planning for climate change, retaining historic character or unique attributes, and promoting sustainable land use.

Please note: Acquisition proposals must be consistent with the following, where applicable:

- Any Long-Term Community Recovery Plan funded by the NYS Dept. of State;
- Any Long-Term Community Recovery Plan developed in consultation with FEMA’s Community Recovery program (ESF-14) and adopted by the community;
- The provisions of the National Historic Preservation Act, which directs Federal agencies “to take into account the effects of their undertakings on historic properties” to avoid impacts to significant historic and cultural properties. Sub-applicants with historic properties are encouraged to consider the structure relocation option over demolition in this grant cycle to help maintain and enhance their community’s character. Information about historic properties and disasters is found at: www.achp.gov/sec106_disaster-responseFAQ.html.

Hazard Mitigation Planning Grants

The State will give preference to requests that will create or update county-wide plans, or will bring communities currently without a plan (or with a single-jurisdiction plan) under the umbrella of a larger regional or county-wide effort. Planning subapplications should provide a good description of the planning process to be used in creating or updating the plan, including the jurisdictions to be covered, how stakeholders will be identified and public participation encouraged, and who will be responsible for completing each step. Sub-applicants should also familiarize themselves with the requirements of

FEMA’s July 1, 2008 “Local Multi-hazard Mitigation Planning Assistance” document: www.fema.gov/library/viewRecord.do?id=3336.

The State has established the following funding caps (75% Federal share) for mitigation planning grants based on the number of residents to be covered by the final mitigation plan:

\$112,500	up to 100,000 residents
\$225,000	up to 500,000 residents
\$375,000	up to 1,000,000 residents
\$750,000	more than 1,000,000 residents.

Please note: The State will not fund mitigation plans that evaluate the risks to a single community within a county, or the risks to the assets of a county without including those of its jurisdictions. The State will fund a community’s efforts to join an existing regional or county-wide mitigation plan.

Hazard Mitigation Project Grants

The State will use the remaining combined HMGP funds for projects in three major categories:

Acquisition projects that demolish (or relocate) substantially damaged or repetitive-damage properties from a 100-year floodplain;

Elevation projects that raise/lift properties in the 100-year floodplain, or other projects that provide benefits similar to acquisition and elevation projects. Please note: The State will not fund the elevation of structures in a designated floodway;

All Other Project Types, if funds remain after eligible acquisition and elevation requests (above) are addressed.

Special Notes for Acquisitions

Given the level of interest in acquisitions and the varied status of Flood Insurance Rate Maps (FIRMs) in the declared counties, the State will process only substantially damaged properties in the acquisitions category, with few exceptions. Substantial damage occurs when a property sustains damages that equal or exceed 50% of its Fair Market Value (FMV) prior to the event, as determined by a local authorized official (e.g., a code officer):

For HMGP property acquisition projects only: For structures identified in a riverine Special Flood Hazard Area (SFHA) on the current effective Flood Insurance Rate Map (FIRM) and declared substantially damaged due to the impacts of flooding by a local authority (e.g., code officer) having jurisdiction, property acquisition and structure demolition or relocation is considered cost effective and a BCA is not required.

For this grant cycle only: The BCA requirement may also be waived for structures located in the SFHA on a preliminary FIRM that has not been adopted. Communities should contact State OEM to review this option before responding to this canvass.

Condemnation is not the same as substantial damage. Sub-applicants with substantially damaged properties must provide a letter containing the address and stating that the property sustained damages that equal or exceed 50% of its pre-flood Fair Market Value (FMV), and that it lies in the Special Flood Hazard Area (SFHA) on a currently adopted or preliminary FIRM.

If possible, the letter should also include the date of inspection, pre-flood FMV, estimated total damages, and FIRM number.

Authorized local officials are reminded that a substantial damage finding generally triggers conformance with their community’s local floodplain ordinance and the floodplain provisions of the NYS Uniform Fire Prevention and Building Code if the property is ultimately repaired. Questions about the National Flood Insurance Program (NFIP) and floodplain ordinances should be directed to the

appropriate regional office of the NYS DEC; questions about the NYS Building Code should be directed to the appropriate regional office of the NYS Dept. of State, Codes Division.

Exceptions

It may be possible to acquire repetitive damage properties, and structures not substantially damaged in this event, if they are contiguous to a group of substantially damaged properties and damage and benefit calculations produce a passing aggregate BCA. Sub-applicants interested in this option are reminded that:

- The BCA waiver noted above for substantially damaged properties in the HMGP program is not available under the aggregate approach to acquisition;
- Individual BCAs must be conducted for all or nearly all the properties under the aggregate approach to acquisition, those substantially damaged and those not;
- State OEM’s document <http://www.dhSES.ny.gov/oem/mitigation/documents/121311-BCA-Worksheet.pdf> explains the BCA process and the information, including past damages, that must be provided for each property in the aggregate group to document cost-effectiveness;
- These projects must be discussed with State OEM before Letters of Intent (LOIs) are submitted.

While it may also be possible to acquire substantially damaged properties outside the 100-floodplain, this is only a viable option in very limited instances. Sub-applicants with projects in this category also must call State OEM before responding to this canvass for LOIs.

All sub-applicants interested in acquiring substantially damaged properties must also provide:

- a) A single LOI with a list of all properties to be acquired, with ownership, tax ID, estimated pre-flood Fair Market Value (FMV), estimated damages, and project cost information for each structure. Properties must be ranked in highest to lowest priority;
- b) A description of the rationale used to rank the properties (i.e., describe how criteria were developed and what plans, initiatives or goals were considered in the process). Factors to consider in the local ranking process include:
 - Local hazard mitigation plan, floodplain ordinances, and waterfront revitalization plans;
 - the recommendations of the Sea Level Rise Task Force (SLRTF) or another locally developed or adopted climate-change report;
 - long-term recovery plans;
 - historic preservation ordinances and guidelines;
 - initiatives that reinforce community resilience, sustainability or character;
 - local or statewide comprehensive recreation plans;
 - whether projects will acquire the last properties in a neighborhood.

Elevations

Sub-applicants with elevation projects must provide similar information. Once LOIs are received, State OEM will arrange a call with the Project Contact to discuss the rankings, review the HMGP process and details specific to acquisitions or elevations, and the sub-applicant’s next steps.

How to Apply

There are 4 Letters of Intent (LOIs) for this grant cycle: Planning, Acquisition, Elevation, and All Other Project Types. Choose the LOI appropriate to your request(s), provide all requested information, and submit to either:

- 518-322-4983 by facsimile, or
- NYSOEMHazmit@dhSES.ny.gov by e-mail.

If you need confirmation that your LOI was received, please use the e-mail option and a receipt will be sent to you when we open your e-mail.

Interested sub-applicants must use the LOIs for this grant cycle and must provide the information requested in all required fields:

- Incomplete LOIs received from eligible applicants will be returned without processing with a request for all required information;
- Letter requests, LOIs from previous grant cycles, and LOIs received from ineligible applicants will not be considered.

Please read each LOI carefully as deadlines vary depending on activity type:

January 31, 2012:	Planning Grants & All Other Project Types
February 29, 2012:	Acquisition Projects & Elevation Projects (Phase 1)
April 30, 2012:	Acquisition Projects & Elevation Projects (Phase 2)
June 30, 2012:	Acquisition Projects & Elevation Projects (Phase 3)

State OEM will work with all acquisition and elevation sub-applicants who submit their LOIs by the February 29, 2012 deadline to develop applications that will then be submitted to FEMA for Phase 1 funding. OEM will use sub-applicants’ priority rankings to develop the State’s ranking and funding recommendations. Phases 2 and 3 will operate in the same manner if acquisition and elevation funds remain.

While every attempt has been made to significantly extend State OEM’s standard deadlines to accommodate communities still recovering from these events, eligible sub-applicants are encouraged to submit LOIs as soon as possible, and well before the deadlines specified above.

State OEM may also make available funds for State agencies to implement mitigation measures identified in the “New York State Standard Multi-Hazard Mitigation Plan” if funds remain.

To disseminate program information to the widest possible audience, State OEM has placed program information on its website and asks that County Emergency Managers, Mitigation Coordinators, and all other recipients of this canvass letter forward this information to any eligible applicants under FEMA’s HMGP and Public Assistance (PA) programs.

If you have questions or need further information, please visit www.dhSES.ny.gov/oem/mitigation or telephone Richard Lord, State OEM’s Chief of Mitigation Programs, at (518) 292-2304.

