



**Homeland Security  
and Emergency Services**

# **Hazard Mitigation Programs**

**November 15, 2021**

# Hazard Mitigation

*Mit-i-ga-tion* \ n. : sustained actions that eliminate or reduce long-term risk to people and improved property from natural hazards

- Creates safer communities, reduces loss of life and damage to improved property, and diminishes financial and emotional stress
- Breaks the cycle of disaster damage and loss
- Allows communities to rebuild more quickly
- Saves money: every mitigation \$1 spent avoids an average of \$6 in future damages



# 3 Hazard Mitigation Programs

- **Hazard Mitigation Grant Program (HMGP)**
  - Funding is based on NYS disaster declarations
- **Building Resilient Infrastructure and Communities (BRIC)**
  - Annual, nationally competitive. Created by the 2018 Disaster Recovery Reform Act (DRRA). Funding is based on national disaster declarations.
- **Flood Mitigation Assistance Program (FMA)**
  - includes former Repetitive Flood Claims program
  - includes former Severe Repetitive Loss program
  - Annual; nationally competitive. Funding subject to Congressional appropriation.



# Requirements: Applicants

- Eligible Applicant: NYS, acting through DHSES
- Eligible Sub-applicants:
  - State agencies & local governments
  - Federally-recognized Indian Tribal Governments
  - State-recognized Indian Tribes
  - Private non-profits providing government services (HMGP only, not BRIC or FMA)

[ NB: PNPs participating in property acquisition must have land conservation as a mission]
- Individuals/businesses are not eligible applicants, but may be represented by their local government



# Requirements: Mitigation Plans

- Sub-applicants seeking project funds must be covered by a current hazard mitigation plan.  
[A current mitigation plan is one approved by FEMA and adopted by the community; some plans cover a community while others were regional or county-wide efforts]
- Sub-applicants that have begun the update process when grants are announced may be able to meet this requirement.
- Sub-applicants are responsible for ensuring this requirement is met, regardless of the availability of planning grant funding.

# Requirements: Cost-Effectiveness

- Projects must be cost-effective as determined by a Benefit-Cost Analysis (BCA)
  - Pre-Calculated Benefits for Elevations in the Special Flood Hazard Area (SFHA) - \$205,000 per structure.
- BCA must verify that future benefits (losses to be avoided) equal or exceed the project's cost

# Requirements: 25% Local Share

- FEMA funds provide up to 75% reimbursement of eligible costs, up to the amount of the award.
- In-kind services, materials or cash may be used toward the 25% non-Federal match.
- Other Federal funds cannot be used toward the non-Federal match, with some exceptions:
  - Increased Cost of Compliance (ICC) payouts from a National Flood Insurance Program (NFIP) policy
  - Most HUD Community Development Block Grants (CDBG)



# HMGP Project Grants

- Elevations: Raise or lift an existing structure needs to be - Base Flood Elevation (BFE) of plus 2 ft or higher if, required by local building codes.
- Properties located in the floodway are not eligible for elevation.



# Elevation Application Information

- Name of the property owner(s) Physical address of the property
- Photos of all four sides of the structure
- Declaration and release form
- Voluntary Participation Waiver
- Detailed Itemized Cost Estimate
- Base Flood Elevation
- Current Elevation of the lowest finished floor
- Proposed Elevation of the lowest floor
- Type of Foundation
- Proposed Elevation Method
- Letter from Engineer stating the structure appears to be structurally sound to elevate



# Deed Restriction

- Structures that are elevated through these programs that remain in the SFHA are required to maintain flood insurance for the life of the structure. This is accomplished adding the following to the property deed.

*“This property has received Federal hazard mitigation assistance. Federal law requires that flood insurance coverage on this property must be maintained during the life of the property regardless of transfer of ownership of such property. Pursuant to 42 U.S.C. 5154a, notwithstanding any other provision of law, no Federal disaster relief assistance made available in a flood disaster area may be used to make a payment (including any loan assistance payment) to a person for repair, replacement, or restoration for damage to any personal, residential, or commercial property if that person at any time has received flood disaster assistance that was conditional on the person first having obtained flood insurance under applicable Federal law and subsequently having failed to obtain and maintain flood insurance as required under applicable Federal law on such property. The property owner is also required to maintain this property in accordance with the floodplain management criteria of 44 CFR Section 60.3 and any city/county ordinance.”*



# Engineering and Construction Plans

Plans and engineering are not required for the initial application, however including them in the application can give you an advantage both by reducing project costs and time spent in the review phase as well as the project phase.

# Design Standards

FEMA requires elevations to be designed in accordance with:

- NFIP standards found in 44 CFR Part 60.
- ASCE 24-14, or latest edition, or its equivalent as minimum design criteria.



# Eligible Costs

- Engineering Costs
  - Structural Evaluation
  - Design
  - Cost Estimate Preparation
  - Surveying
  - Soil Sampling
  - Elevation Certificate



# Eligible Costs

- Professional Costs
  - Legal
  - Deed Recordation Fees
  - Permitting
  - Project administration and Management

# Eligible Costs

- Disconnecting, relocating, reconnecting utilities
- Required foundation work
- Physical elevation of the structure, lowering and attaching to the foundation
- Floor system when required
- Debris disposal
- Erosion control
- Elevation of existing porches, decks and stairs
- Construction of new stairs, landings and railing necessary to access the elevated living space as required by code
- As required for ADA compliance if applicable



# Eligible Costs

- Displacement Costs
  - Documented, reasonable living expenses while the owner is displaced during construction

(This does not include food and transportation).



# Ineligible Costs

- Costs not covered under the program
  - Construction unrelated to the elevation.
  - New decks or porches.
  - Improvements for purely aesthetic reasons (except when required for EHP compliance).
  - Costs to upgrade utility service or equipment not required by code.
  - Exterior finish on exposed foundation (except when required by EHP or local codes).
  - Additional landscaping beyond what existed on the site prior to construction.



# Other Requirements

- Additional Requirements
  - The sub-applicant actively manages the project.
  - Contracting is subject to Federal, New York State and local procurement requirements.
  - Bidding is required.
  - Agreement – contract between the sub-applicant/municipality and the property owner.
  - Funding commitment letter for the non-federal share – by owner or sub-applicant.

# Questions & Contact Information:

Hazard Mitigation Programs

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