

STATE OF NEW YORK ACTION PLAN FOR COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM DISASTER RECOVERY

Utilizing Supplemental CDBG Disaster Recovery Funding from the Allocation, Common Application, Waivers, and Alternative Requirements for Community Development Block Grant Disaster Recovery Grantees Under the Department of Housing and Urban Development Appropriations Act, 2013(Public Law 113-2)

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**New York State Office of Community Renewal
CDBG-DR Action Plan
Table of Contents**

1. Introduction.....	1
2. Needs Assessment and Rationale for Prioritization of Funds	3
A. Housing.....	4
B. Economic Impact.....	12
C. Infrastructure	14
3. Proposed Use of Funds	17
A. Housing.....	18
B. Economic Development.....	22
C. Resilience and Retrofit.....	25
D. Community Planning and Redevelopment	25
E. Public Infrastructure and Facilities (Non-Federal Match)	28
F. Infrastructure Bank	28
4. Eligible & Ineligible Activities	30
5. State and Local General Administration.....	36
6. Promoting high quality durable, energy efficient and mold resistant construction methods.....	37
7. Provision of adequate, flood resistant housing for all income groups that lived in the disaster impacted areas.....	38
8. Method of Allocation	39
9. Proposed Distribution of Funds.....	41
10. Development of the Proposed Disaster Recovery Plan.....	42
11. Amendments to the Disaster Recovery Plan	43
12. New York State Citizen Participation.....	44
A. Citizen Participation Requirements for Local Governments Participating in the CDBG-DR Program	45
B. Performance Hearings	45
C. Complaint Procedures	46
13. Overview of Allocations and Program Delivery	47

14. Project Area.....	48
15. Avoidance & Mitigation of Occurrences of Fraud, Abuse & Mismanagement.	49
16. Comments Received.....	57
17. Contact Information	58

1. Introduction

In late October 2012, the largest storm in New York's recorded history swept ashore. Hurricane Sandy's effect was devastating, causing widespread damage to lives, homes, businesses, core infrastructure, government property and an economy just recovering from the financial crisis. Fourteen counties were declared as Federal disaster areas. Sixty New Yorkers died and two million customers lost power with some blackouts lasting up to three weeks. The storm damaged or destroyed as many as 300,000 housing units, affected or closed over 2,000 miles of roads, produced catastrophic flooding in subways and tunnels, and damaged major power transmission systems.

Hurricane Sandy's impact was particularly tragic coming on the heels of Hurricane Irene and Tropical Storm Lee, which in 2011 devastated many communities in Upstate New York and the Hudson Valley region, as well as on Long Island. Tens of thousands of homes incurred damage in these storms, many of them destroyed by flood waters and wind. Businesses and infrastructure suffered substantial damage as well. Communities affected by these storms are still working hard every day to build back their lives.

In response to Hurricane Sandy, Hurricane Irene and Tropical Storm Lee, New York State has developed a Storm Recovery Plan to help define how the State will effectively use all available funding to recover and rebuild, and just as importantly, to stimulate economic growth in every affected community. That plan encompasses the full range of critical recovery and rebuilding, including transportation and energy infrastructure, coastal protections and natural infrastructure, water treatment plants, housing, business recovery, and many others.

On Tuesday, March 5, 2013, the U.S. Department of Housing and Urban Development (HUD) published Federal Register Notice 5696-N-01, which established the requirements and processes for the first \$1.7 billion in Federal CDBG-DR aid appropriated by the United States Congress, and allocated to New York State, for disaster relief. This document, the State's required CDBG-DR Action Plan, addresses exclusively one portion of the State's Storm Recovery Plan; the State's proposed use of the first allocation of these CDBG-DR funds to New York State. Using this first allocation, the State will focus principally on meeting the immediate needs for housing and business assistance in the communities affected by recent storms; assisting county and local governments to cover both their emergency expenses and the matching fund requirements that must be met to repair and mitigate key infrastructure projects; and, by leveraging private financing, assisting critical facilities that suffered damage to install energy-related mitigation (e.g., combined heat and power systems) to withstand future natural disasters. The State will use later allocations not only to continue to address these needs, but also to fund critical infrastructure repair and mitigation and community-driven plans to improve resilience and economic growth.

HUD allocated the first one-third of these CDBG-DR funds based on its estimate of the most critical unmet needs for severe damage to businesses, infrastructure and housing that

remain to be addressed in the most impacted states and counties, after taking into account data on insurance, Federal Emergency Management Agency (FEMA) assistance, and Small Business Administration(SBA) disaster loans. Per this evaluation, New York State Homes and Community Renewal (NYS HCR), through its Office of Community Renewal (OCR) and the Housing Trust Fund Corporation (HTFC), will oversee the administration of approximately \$1.71 billion to assist impacted communities with disaster recovery. NYS HCR consists of all the State's major housing and community renewal agencies, including the State of New York Mortgage Agency, the Affordable Housing Corporation, the Division of Housing and Community Renewal, the Housing Finance Agency, the Housing Trust Fund Corporation and others. In addition to the State's allocation, New York City will receive approximately \$1.77 billion of CDBG-DR funding to administer directly.

The State of New York is required to publish an Action Plan for Disaster Recovery that describes the proposed use of HUD CDBG-DR funding as provided under the *Allocation, Common Application, Waivers, and Alternative Requirements for Grantees Receiving Community Development Block Grant Disaster Recovery (CDBG-DR) Funds in Response to Hurricane Sandy*.

Under Federal Law, the Action Plan must describe:

- How the proposed use of CDBG-DR funds will address long-term recovery needs;
- Eligible affected areas and the distribution of CDBG-DR funds to those areas;
- Activities for which CDBG-DR funds may be used;
- The Citizen Participation process used to develop the Action Plan; and
- Grant administration standards.

The Action Plan will be used as a guide by the State of New York and the OCR for the distribution of \$1,713,960,000 of CDBG-DR funding to meet the unmet housing, economic development, community planning, and infrastructure needs of impacted communities. As outlined in the Federal Register Notice a minimum of 80%, or \$1,371,168,000 of the State's allocation, must be expended in the most impacted Counties, identified by HUD as Nassau, Suffolk and Rockland. The use of the first tranche of these funds, as outlined in the Federal Register Notice, will also be used to address remaining unmet needs in declared counties impacted by Hurricane Sandy, Hurricane Irene and Tropical Storm Lee.

2. Needs Assessment and Rationale for Prioritization of Funds

In response to Hurricane Sandy, Hurricane Irene and Tropical Storm Lee, New York State has developed a Storm Recovery Plan to help define how the State will effectively use any available funding to recover and rebuild, and just as importantly, to stimulate economic growth in every affected community through a community-driven planning process. The plan is based on six key principles:

1. *Building back better and smarter* – As New Yorkers repair the significant damage wrought by Hurricane Sandy, the State will use the opportunity not to replace damaged buildings with the same structures, but to invest in additional mitigation to prevent similar damage from recurring.
2. *State-led, community-driven recovery* – The State is collaborating closely with local governments and other organizations to ensure a coordinated and holistic response, while looking to individual communities to develop forward-looking local recovery plans that meet their specific needs.
3. *Recovery from Irene and Lee* – The recovery efforts will also extend to those communities still recovering from Hurricane Irene and Tropical Storm Lee.
4. *Leveraging private dollars* – The State will undertake programs that will help unlock capital markets and increase the amount of low-interest financing of key projects by reducing the risk for private sector lenders.
5. *Spending accountability and transparency* - To make certain that funds are spent appropriately and responsibly, the State will put rigorous spending accountability systems in place and employ an independent auditing firm.
6. *Urgency in action* - The recovery is a long-term endeavor but people need help today, so the projects and programs have been shaped to achieve the fastest delivery and best support possible.

In order to identify how best to apply these principles to distribute recovery funds, New York State performed a needs assessment across three damage categories:

- Housing
- Economic development
- Infrastructure

The needs assessment described herein was conducted in consultation with FEMA, the SBA, and representatives of county and local governments, as well as impacted homeowners and businesses most affected by Sandy, Irene, and Lee.

A. Housing

The FEMA Individual Assistance Program (FEMA IA) registration and inspection data available to date indicates that in the State of New York alone, the homes of over 90,000 owners and over 33,000 renters were damaged by Hurricane Sandy. These numbers are expected to grow as more data is made available. Approximately 10,000 homes were damaged by more than half of their value; over 4,000 individuals were deemed eligible for the maximum award under FEMA IA and almost 1,000 families are still living in emergency housing or hotels. Many more continue to live with friends and family, or in rental units, until their homes can be repaired. A total of 14 counties sustained some level of damage by Hurricane Sandy with 13 counties receiving Federal disaster declarations making them eligible for FEMA IA. The majority of the damage, according to the chart below, occurred in four counties: Nassau, Queens, Kings and Suffolk.

The following tables outline FEMA's housing damage estimates to date for owner-occupied homes and for renters by county, for Hurricane Sandy:

County (Owner-occupied)	Owner	Owner	Owner	Owner	Owner
	RP FVL \$0 to \$15,000	RP FVL \$15,000 to \$31,900	RP FVL to \$50k	RP FVL Greater than \$50,000	County Totals
	Total	Total	Total	Total	
Bronx	845	39	3	1	888
Kings	11,357	3,134	419	84	14,994
Nassau	19,943	11,293	3,320	762	35,318
New York	267	70	14	3	354
Orange	280	3	0	0	283
Putnam	68	7	0	0	75
Queens	8,635	5,274	1,495	409	15,813
Richmond	5,384	2,585	773	256	8,998
Rockland	577	67	11	8	663
Suffolk	7,298	3,157	998	273	11,726
Sullivan	116	4	3	0	123
Ulster	85	14	3	0	102
Westchester	940	34	9	2	985
Category Totals:	55,795	25,681	7,048	1,798	90,322

RPFVL = Real Property FEMA Verified Loss

County (rentals)	Renter	Renter	Renter	Renter	Renter
	Moderate Damage	Major Damage	Substantial Damage	Destroyed	County Totals
	Total	Total	Total	Total	
Bronx	65	6	46	0	117
Kings	3,383	2,089	2,432	24	7,928
Nassau	3,997	1,899	3,205	21	9,122
New York	1,117	315	412	2	1,846
Orange	10	0	6	0	16
Putnam	2	1	7	1	11
Queens	4,520	2,345	2,928	88	9,881
Richmond	733	984	817	35	2,569
Rockland	47	13	31	0	91
Suffolk	799	299	625	7	1,730
Sullivan	2	1	4	0	7
Ulster	9	1	3	0	13
Westchester	39	10	10	1	60
Category Totals:	14,723	7,963	10,526	179	33,391

Tens of thousands of homes across a broad area of New York State suffered damage as a result of Hurricane Irene, and many lost their homes. FEMA data shows that 26,837 owner-occupied homes suffered damaged, with 155 such homes incurring more than \$50,000 worth of verified loss; in addition, at least 38 rental homes were destroyed by the storm. The below table shows damage to owner-occupied properties by county,forHurricane Irene:

County (Owner-occupied)	Owner	Owner	Owner	Owner	Owner
	RP FVL \$0 to \$15,000	RP FVL \$15,000 to \$31,900	RP FVL \$31,900 to \$50k	RP FVL Greater than \$50,000	County Totals
	Total	Total	Total	Total	
Albany	548	22	2	1	573
Bronx	242	1	0	0	243
Clinton	245	7	1	1	254
Columbia	168	5	0	0	173
Delaware	227	37	16	4	284
Dutchess	1,548	10	3	1	1,562
Essex	233	55	4	2	294
Greene	691	93	36	44	864
Herkimer	178	3	0	0	181
Kings	1,365	4	0	0	1,369
Montgomery	283	19	12	6	320
Nassau	2,612	334	34	6	2,986
Orange	4,240	191	44	2	4,477
Otsego	105	1	1	0	107
Putnam	418	10	2	2	432
Queens	1,374	50	1	0	1,425
Rensselaer	506	15	5	2	528
Richmond	2,302	24	1	0	2,327
Rockland	1,380	51	5	0	1,436
Saratoga	210	30	8	3	251
Schenectady	469	76	15	5	565
Schoharie	627	176	141	57	1,001
Suffolk	843	77	7	1	928
Sullivan	245	7	2	0	254
Ulster	1,965	113	24	18	2,120
Warren	67	1	1	0	69
Washington	148	10	1	0	159
Westchester	1,569	79	7	0	1,655
Category Totals:	24,808	1,501	373	155	26,837

Tropical Storm Lee also had a devastating effect on many New York families; coming only months after Hurricane Irene impacted the State: according to FEMA estimates, 9,071 owner-occupied homes and 2,143 rental homes were damaged from the storm. 29 owner-occupied homes incurred more than \$50,000 in damage, and 12 rental homes were destroyed. The below tables show FEMA estimates of damage to owner-occupied and rental homes, by county, for Tropical Storm Lee:

County (Owner-occupied)	Owner	Owner	Owner	Owner	Owner
	RP FVL \$0 to \$15,000	RP FVL \$15,000 to \$31,900	RP FVL \$31,900 to \$50k	RP FVL Greater than \$50,000	County Totals
	Total	Total	Total	Total	
Broome	4,190	745	137	15	5,087
Chemung	75	5	1	0	81
Chenango	466	51	3	0	520
Delaware	162	77	5	1	245
Fulton	31	0	0	0	31
Herkimer	49	0	0	0	49
Oneida	349	1	1	0	351
Orange	323	2	0	0	325
Otsego	305	18	4	1	328
Schenectady	26	2	1	0	29
Schoharie	25	2	0	0	27
Tioga	1,307	472	122	12	1,913
Ulster	81	3	1	0	85
Category Totals:	7,389	1,378	275	29	9,071

County (rentals)	Renter	Renter	Renter	Renter	Renter
	Moderate Damage	Major Damage	Substantial Damage	Destroyed	County Totals
	Total	Total	Total	Total	
Broome	720	324	462	5	1,511
Chemung	1	2	2	0	5
Chenango	38	2	21	0	61
Delaware	48	11	20	0	79
Fulton	0	0	2	0	2
Herkimer	0	0	2	0	2
Oneida	9	0	7	0	16
Orange	10	0	0	0	10
Otsego	10	0	4	1	15
Schenectady	3	0	0	0	3
Tioga	137	99	191	6	433
Ulster	2	1	3	0	6
Category Totals:	978	439	714	12	2,143

In determining the impact on housing during its inspection process, FEMA uses the following definitions:

Moderate damage: *Moderate structure damage includes less than (6) inches of water on the first occupied floor of the dwelling. Other event types, such as fire, may have visible soot and ash that impacts habitability requiring professional cleaning. Access to the dwelling can be considered Minor due to conditions such as minor washouts requiring some road fill that prevents routine access to the dwelling.*

Substantial Damage: *Substantial structure damage should be noted with water levels greater than six (6) inches and less than four (4) feet. Items such as collapsed chimney, furnace damage, water heater damage, exterior siding damages, and or roof damages affecting one or both sides of the dwelling, compromised windows and or doors. Access to the dwelling can be considered substantial when access may be blocked with down trees or private road is substantially washed out.*

Major Damage: *Major structure damage is identified when approximately four (4) feet of water, or more, is on the first occupied floor. Other items can substantiate major structure damage such as collapsed foundation walls and or piers and or significant separation in the walls from the dwelling. Wind events that have removed/damaged the majority of the roof and or wall components. Access to the dwelling can be considered major when the only access is by a bridge that has collapsed.*

The State's needs assessment, conducted using data available from FEMA and SBA, as well as through consultation and coordination with our partners in county and local governments, other State and local government agencies and affected New Yorkers, has revealed substantial loss across a wide range of housing types, including single-family and two-family homes and larger multi-family structures. Furthermore, Sandy, Irene and Lee affected both market-rate rental properties housing families with higher incomes, and a substantial number of subsidized and affordable rental properties. New York State aims to help affected families to rebuild and return to their homes as soon possible by addressing unmet housing rehabilitation and repair needs and incorporating mitigation measures in order to reduce impacts of future disasters. To ensure that the rental market rebounds and affordable housing options persist for those in storm-affected areas, it will be important to direct assistance to rental properties in addition to owner-occupied properties.

Across the impacted region, in response to Hurricane Sandy alone, the FEMA IA Program has already distributed more than \$900 million in assistance to homeowners for repairs and rebuilding, with an additional \$1 billion in loans to homeowners from the SBA on top of that. Additionally, insurers have paid or expect to pay out substantial sums to homeowners- including at least \$1.5 billion under flood insurance policies and approximately \$1.6 billion in other residential property claims; but there is still a great

level of unmet need. The same is true for Irene and Lee: FEMA paid out over \$92 million in Housing Assistance for Irene and over \$47 million for Lee. While this funding has helped and many homeowners have recovered, there remains real unmet need for those who suffered serious damage that was not fully covered by the assistance available to them.

To ensure that communities are not just rebuilt but also become safer, for those areas where there is a high risk of future flooding New York State will support homeowners in making their homes more resilient. The State has evaluated costs of mitigation measures for homes that are at high risk; for example, New York State estimates that a basic 1,000 square foot home with no basement built to a height of 4' below base flood elevation (BFE) would cost \$90,250 to raise to 1ft above BFE, and an additional \$2,500 to raise to 2ft above BFE. Such additional elevation may decrease a homeowner's flood insurance premiums substantially.

As part of this effort, the State will create the Smart Rebuild NYS public awareness and educational campaign to provide homeowners, businesses, municipalities, organizations and building professionals with quality up-to-date information and instruction to facilitate the rebuilding of homes and properties and protect them from future extreme weather events and climate change. This multi-faceted outreach campaign will inform the public on how best to rebuild to protect homes and properties. The campaign will provide guidance on mandatory code requirements as well as cost-effective voluntary initiatives that go beyond the minimum code requirements to save homeowners money and better protect them from future natural disasters. Such public education must be a priority in order to address the anticipated impact of sea level rise on the risks faced by those communities inside the flood plains.

In addition, the State intends to develop a program akin to the existing Energy Star program to be applied to the home building sector to improve resiliency in the face of increasing sea level rise and climate change. Specifically, homes that are built or rebuilt from the storms that use best practices to maximize resiliency will be eligible for designation. Such properties will gain the value of such designation and become models for communities in the future. This program will involve public education as well as workshops with builders, contractors, and local officials.

Hurricane Sandy severely affected not-for-profit and State agencies providing temporary housing services to displaced individuals. In addition to causing widespread damage to their facilities, Hurricane Sandy negatively affected their ability to provide temporary housing aid in the near term. The State will direct funds to reimburse or support efforts to assist those who need special housing services in the wake of the storm. Working with community organizations and volunteers, agencies across New York State have and will continue to support those displaced by Hurricane Sandy.

Of the approximately 450,000 New Yorkers who live in public housing, many were in coastal areas affected by Hurricane Sandy and approximately 45,000 lived within New York City's mandatory evacuation zone. The State is committed to ensuring that public

housing is better prepared for future disasters. The State expects that needed repairs and mitigation will be a critical part of New York State's public housing recovery efforts and the efforts of other communities. Outside of New York City, HUD has identified the Long Beach and Freeport Public Housing Authorities (PHAs) on Long Island as two that sustained damage in Hurricane Sandy; the majority of the public housing in the State that was impacted by Sandy are part of the NYC Housing Authority (NYCHA) and their disaster related needs will be addressed by New York City using its allocation(s) of Federal disaster aid.

While the State continues to consult with the Freeport and Long Beach PHAs, and Nassau County, about the full extent of damage that they sustained by Sandy, and their remaining unmet need, both PHAs have FEMA Public Assistance (FEMA PA) projects in process with the State Department of Homeland Security and Emergency Services (DHSES) related to flood-damaged buildings, boilers, electrical systems and backup generators, debris removal, and other emergency protective measures. As will be discussed later in this Action Plan, the State intends to use a portion of its initial allocation of CDBG-DR to cover the non-Federal match requirement for CDBG-DR eligible activities, including FEMA PA projects. To the extent allowable, the FEMA PA needs of these PHAs will be included in this use of CDBG-DR funding.

Very low-income individuals and families with special needs have historically been amongst the most challenging populations for which to locate appropriate housing; a challenge that has become even more complex in the post-Sandy housing market. They lack both the income and the services needed to obtain and retain stable housing. The New York State Homeless Housing and Assistance Program (HHAP) has a long history of effectively serving this population, which cannot be appropriately housed by traditional affordable housing programs, both because they lack the financial resources to pay for even what is considered "affordable housing", and because they require supportive services (e.g. case management, life skills training, transportation, child care, employment placement and training, financial assistance) in order to remain stably housed.

Since Sandy, the State and its local service agency partners have focused closely on assessing the disaster-related needs of the homeless and those at-risk of homelessness. To date, the State has determined that there exists the need for the rehabilitation or new construction of an estimated 800 new HHAP funded units for homeless individuals and families with special needs (mental illness, substance abuse, HIV/AIDS and other chronic health conditions) that are in need of ongoing support in order to remain stably housed. Current estimates are based on 200 units in non-metropolitan areas being financed solely with HHAP, and 600 units in New York City being constructed with mixed funding from HHAP and other sources, such as Low-Income Housing Tax Credits, NYS Housing Trust Fund, and NYC Department of Housing and Preservation Development.

Many of the emergency shelters and HHAP-funded homeless housing projects in the disaster-impacted region were without generators and sources of heat after the disaster; some remained that way for weeks afterward, because generators were in short supply

and building basements were flooded. This resulted in very vulnerable populations being either evacuated or remaining in conditions which negatively impacted their health and safety. It is essential for all such programs to secure generators before the next disaster; it is also important for them to move heating and electrical systems out of the basement into a more secure place in the building. In the disaster, a number of shelter and HHAP projects either temporarily or permanently lost access to client and program records, making it very challenging for them to adequately address client needs. It is necessary to develop electronic storage systems that ensure secure access to client and programmatic records from off-site locations in case of future emergencies.

Mitigation funding is needed to assist these facilities with purchasing replacement/back-up generators, revamping electrical and heating systems to ensure integrity in flooding situations, and developing electronic storage systems to preserve client and program data. There are approximately 100 emergency shelters (most owned by not-for-profit providers but a few by municipalities) and 150 homeless housing projects constructed by the State's Homeless Housing and Assistance Program in the disaster area. Projects needing mitigation assistance range in scale from single family homes to 400-bed facilities.

Together, the repair, construction and mitigation costs to assist this at-risk population of New Yorkers are estimated to exceed \$150 million. At this time, the State anticipates using an as yet to be determined amount of funds from this allocation of CDBG-DR to address the most critical and urgent needs in this category for eligible projects, and using later allocations of CDBG-DR funding to address remaining eligible needs.

B. Economic Impact

Economic impact damage includes, but is not limited to, structural damage to businesses, loss of inventory, general loss of business due to lack of infrastructure, and in some instances, costs related to temporary relocation, where the business has made a commitment to return to the original facility.

While there is currently no single comprehensive data source that captures the full extent of damage to businesses affected by the storms, the negative impact of Hurricane Sandy, Hurricane Irene and Tropical Storm Lee on small businesses in the affected counties was significant and remains a critical area of concern. The types of businesses impacted by these storms vary; for Hurricane Sandy, many of the affected businesses were retail establishments (NAIC Sector 44-45), coastal fishing (NAIC Sector 11) and tourism related businesses including accommodation, food service, arts, entertainment, and recreation (NAIC Sector 71-72). On Long Island alone, roughly 90% of the impacted businesses are retail establishments, which would fall into NAICS categories of business starting with a 44 or 45. New York State, in coordination with our partners in county and local governments, identified existing economic and small business recovery needs in the affected communities through conversations with countless business owners affected by Sandy. As New York State collects registrations from affected businesses, it will refine its estimates of aggregate economic impact as a result of the storm. While data sources do not accurately quantify the full magnitude of economic losses, the distribution of such losses across counties impacted by these storms is reflected in data captured by the U.S. Small Business Administration (SBA). The below table represents the distribution of affected businesses within the counties covered by this allocation of funds, for Hurricane Sandy:

Distribution of damage to small businesses				
<i>Data as of</i> 2/5/2013	SBA business data		% distribution by county	
	# of applications	\$ amount granted	% of total applications	% of total \$ amount
Nassau	167	14,693,100	70%	70%
Suffolk	64	5,509,100	27%	26%
Rockland	4	363,300	2%	2%
Westchester	3	296,200	1%	1%
Ulster	0	-	0%	0%
Orange	0	-	0%	0%
Putnam	0	-	0%	0%
Sullivan	0	-	0%	0%
Total:	238	20,861,700	100%	100%

Small businesses suffered substantial losses under Hurricane Irene and Tropical Storm Lee as well. Data from the SBA on loans to affected businesses provide a glimpse into the magnitude of the damage: SBA received nearly 400 applications and loaned over \$12 million to businesses affected by Lee, and received nearly 750 applications and loaned

over \$24 million to businesses affected by Irene. Damage extended well beyond these businesses, as many did not qualify for SBA assistance and have had to find funding elsewhere or continue to face unmet need in their efforts to recover from these storms.

C. Infrastructure

Hurricanes Sandy and Irene and Tropical Storm Lee exposed significant vulnerabilities in the various infrastructure systems that support the State and our local communities. The damage caused by these storms has created a need in the following five areas: (1) transportation, (2) energy, (3) wastewater and treatment facilities, (4) State and local government facilities, and (5) coastal and natural infrastructure.

Hurricane Sandy caused extensive damage to transportation infrastructure. Using available Federal funds, the State will repair that transportation infrastructure and make it far more resilient to future severe natural disasters. In particular, the State will work with the Metropolitan Transportation Authority (MTA) and its subcomponents (the Metro-North Railroad, Long Island Rail Road (LIRR), NYC Transit, and MTA Bridges and Tunnels), the Port Authority of New York and New Jersey (PANYNJ) and its subcomponents (PATH, airports, maritime systems, bridges and tunnels, and the World Trade Center), the New York State Thruway Authority, the NYS Canal Corporation (NYS Canals), the New York State Department of Transportation (NYS DOT), and other agencies to ensure successful reconstruction and mitigation.

Hurricane Sandy left thousands of people without electrical power for weeks, exposing the need for new technologies to provide real-time information about outages to utilities and limit the scope of such outages in future disasters, as well as the need to harden substations and transmission lines to prevent outages. To address this need, the State will use a portion of its first allocation of CDBG-DR funding to strengthen critical energy infrastructure, modernize its electrical systems, and increase its energy flexibility in order to minimize future power disruptions. On Long Island, in particular, utilities need support to help transform the electrical grid without burdening ratepayers with the costs of such upgrades. With respect to liquid fuels, the State will focus on efforts that will increase liquid fuel capacity in the event of a crisis, such as the creation of a strategic fuel reserve that will provide a short-term fuel supply in the event of another shortage, like the one that resulted in gas rationing in New York City and on Long Island in the days and weeks following Hurricane Sandy.

Numerous wastewater and other treatment plants were also severely damaged by these storms. Flooding and storm surge caused corrosion and other damage to facilities, pumps, motors, and electrical and other equipment. Further, the storms exposed the vulnerabilities of certain plants – for example, the fact that many large treatment plants lack disinfection systems to treat wastewater before it is released into a waterway. Through its support of county and local infrastructure projects using CDBG-DR funding, New York State will help to repair storm-damaged facilities and to replace or upgrade equipment to help them withstand future storms more effectively.

Additionally, many State and local government facilities suffered physical damage because of Sandy. The State will assist with the repair of government facilities and purchase necessary emergency equipment that was damaged.

The storm also removed protective coastal and natural infrastructure, including sandbars and dune systems, significantly eroded beaches across Long Island, including the City of Long Beach and the Rockaways, and surged over bulkheads into streets, tunnels, homes, businesses and critical infrastructure. In partnership with the US Army Corps of Engineers and with local governments, the State will continue to work to bring damaged parks, recreational and other public infrastructure back before the summer and the next storm season, while building natural infrastructure, such as dunes and wetlands, to minimize damage from future storms.

New York State has thoroughly catalogued infrastructure damage incurred across agencies and geographies, and has prioritized funding for the most critical repair and mitigation projects. The New York State Division of Homeland Security and Emergency Services maintains a database of infrastructure projects that have applied for FEMA Public Assistance funding. Based on this list of nearly 3,000 distinct projects across over 900 applicants, as of this writing infrastructure needs across New York counties (excluding New York City) break down as follows:

County	Total estimated funding need (\$)
Statewide	\$1,520,662,356
Nassau	\$585,691,527
Suffolk	\$253,700,261
Westchester	\$92,862,490
Rockland	\$18,018,185
Orange	\$3,826,482
Ulster	\$2,555,825
Putnam	\$1,914,179
Sullivan	\$1,344,366
Greene	\$349,023
Total	\$2,480,924,694

Notably, this chart does not include large infrastructure needs in the transportation and energy systems of the State, for which other federal funding sources will be used to supplement FEMA PA funds.

As of this writing, the applicants for FEMA Public Assistance related to infrastructure within New York State (including New York City), with the greatest stated need are as follows:

Applicant	Total estimated funding need (\$)
NEW YORK / HEALTH AND HOSPITALS CORPORATION	\$934,071,144
LONG ISLAND POWER AUTHORITY	\$810,043,552
NEW YORK UNIVERSITY	\$806,753,024
NEW YORK / TRANSPORTATION, DEPARTMENT OF	\$450,990,808
NEW YORK / HOUSING AUTHORITY, NEW YORK CITY	\$443,331,600
NEW YORK / ENVIRONMENTAL PROTECTION, DEPARTMENT OF	\$424,894,580
METROPOLITAN TRANSPORTATION AUTHORITY (MTA)	\$364,040,968
NEW YORK / PARKS AND RECREATION, DEPARTMENT OF	\$337,075,258
NASSAU (COUNTY) / NASSAU COUNTY PUBLIC WORKS	\$229,813,968
NEW YORK / SCHOOL CONSTRUCTION AUTHORITY	\$226,000,000
NEW YORK / POLICE DEPARTMENT	\$220,399,184
PORT AUTHORITY OF NEW YORK & NEW JERSEY	\$214,227,356
NYU MEDICAL CENTER	\$202,858,988
NYC DEPARTMENT OF SMALL BUSINESS SERVICES / NYCEDC	\$167,212,169
NEW YORK / SANITATION, DEPARTMENT OF	\$152,878,543
PARKS, RECREATION, HISTORIC PRESERVATION	\$142,950,412
DEPT OF TRANSPORTATION (DOT)	\$103,969,922
Total	\$7,653,788,025

3. Proposed Use of Funds

In the days immediately following Sandy, New York State began an extensive outreach effort in the areas impacted by the disaster. This outreach included coordination with FEMA and the City of New York on the setup and staffing of Disaster Recovery Centers (DRCs) where property owners could go to register for Federal and State disaster-related aid, or to obtain information on Sandy-related recovery efforts. In addition to the Disaster Recovery Centers, the State created the Sandy Helpline, 1-855-NYS-Sandy, for individuals to call with disaster-related questions and to receive guidance, assistance, and up-to-date information on the State's recovery efforts.

Since the end of February, New Yorkers from every county impacted by Irene, Lee or Sandy, have been able to submit registrations for the State's proposed housing and business assistance program through the Sandy Help website, www.NYSandyHelp.ny.gov. Registration is the first part of the application process for all impacted individuals, and will allow State and county officials to follow up with registrants in the coming weeks to complete full applications for assistance. Each registrant for housing and business assistance will be assigned an individual case manager at the time of follow up. Case managers will work with each registrant to determine final program eligibility, and will then work side-by-side with those who are eligible throughout the entire grant process. This follow-up consultation and final determination of eligibility will occur as soon as the necessary Federal approvals have been obtained.

In addition to allowing for registration for assistance, the Sandy Help website provides fact sheets about the housing and business programs the State is proposing to make available with this initial allocation of CDBG-DR funding, pending final Federal approval.

In the short time since the State began accepting registrations, nearly 3,500 homeowners have registered for housing assistance and nearly 300 businesses have registered for business assistance. It is anticipated that these numbers will increase dramatically as the State begins its outreach and marketing campaign for these funds, which will include an aggressive outreach campaign by State and county employees and other volunteers – collectively known as the Sandy Help Team. Team members will be holding public forums, meetings, and other similar outreach events, as well as staffing DRCs throughout the impacted region to ensure broad outreach to all residents. Team members at these sites have been trained on the proposed program offerings and will be able to answer questions from residents in need of assistance. In addition, all Sandy Help Team events will be equipped with internet-enabled computers, as well as paper applications for those who need them, and Team Members will assist all interested parties in completing their registration, including those with limited resources and/or accessibility issues.

A. Housing

In consultation with FEMA, the State has identified approximately 10,000 housing units that were substantially damaged by Hurricane Sandy (i.e. more than 50% damaged), and it has identified properties that suffered extensive damage under Hurricane Irene and Tropical Storm Lee. In addition, many thousands of properties were damaged to a lesser degree, and still pose a risk to health and safety of their owners or tenants and demand additional financial assistance to repair, replace, or mitigate the homes. To assist property owners in their recovery efforts, the State has developed supplemental programs that target a wide variety of housing types.

At this time, the State anticipates that it will allocate approximately \$788 million from its first allocation of CDBG-DR funds to programs in this category. However, depending on the eligible activities identified and the total costs committed to projects under all eligible categories, additional funds may be provided to eligible housing activities. The exact allocation will be dependent upon the total number of all eligible activities identified and the total amount of funding approved for all other eligible activities.

Housing Assistance Programs

The State proposes the following programs for housing assistance:

- Recreate NY Smart Home Repair and Reconstruction
 - Available to owners of one- and two-unit homes located outside of New York City whether owner occupied or income generating, including Condominiums, Co-Ops and Garden Apartments. New York City will administer its own CDBG-DR programs directly.
 - Will cover costs for the repair/replacement of damage to real property (including mold remediation); replacement of disaster-impacted non-luxury residential appliances; and environmental health hazard mitigation costs related to the repair or rehabilitation of disaster-impacted property.
 - Assistance shall be for unmet rehabilitation or repair needs after accounting for all Federal, State, local and/or private sources of disaster-related assistance, including, but not limited to, homeowners and/or flood insurance proceeds.
 - All new construction of residential buildings or replacement and/or reconstruction of substantially damaged buildings must incorporate Green Building Standards.
 - Rehabilitation of non-substantially damaged buildings must follow guidelines in the HUD Green Building Retrofit Checklist.
 - Household income may be used in determining eligibility for assistance under this program, or may, at a minimum, be required for reporting purposes for households assisted under the National Objective of urgent need.

- Recreate NY Smart Home Resilience
 - Available to owners of one- and two-unit homes located outside of New York City whether owner occupied or income generating, including: Condominiums,

Co-Ops and Garden Apartments. New York City will administer its own CDBG-DR programs directly.

- Property is located within a 100-year floodplain and damaged, or property was substantially damaged (i.e., lost more than 50% of pre-storm FMV), and still needs additional rehabilitation.
- Will cover costs to mitigate future damage.
- Assistance shall be for unmet rehabilitation or repair and mitigation needs after accounting for all Federal, State, local and/or private sources of disaster-related assistance, including, but not limited to, homeowners and/or flood insurance proceeds.
- All reconstruction or mitigation of substantially damaged buildings must meet Green Building Standards.
- Rehabilitation of non-substantially damaged buildings must follow guidelines in the HUD Green Building Retrofit Checklist.
- Household income may be used in determining eligibility for assistance under this program, or may, at a minimum, be required for reporting purposes for households assisted under the National Objective of urgent need.

➤ Recreate NY Home Buyout Program

- Voluntary buyout for one- and two-unit homes
 - Standard Buyout, at 100% of pre-storm FMV, for substantially storm-damaged (>50%) properties inside the 500-year floodplain
 - Enhanced Buyouts in select pre-defined targeted buyout areas (High Risk Areas), which will be determined in consultation with county and local governments: enhanced buyouts will include an incentive(s) ranging from 5%-25% on top of the pre-storm FMV of property acquired through the buyout program. Reconstruction may not occur on lots in these areas. Lots will be maintained as coastal buffer zones. May also include acquisition of vacant or undeveloped land in these targeted areas.
- Incentives may include the following for residents in select pre-defined targeted buyout areas who participate in a buyout; participants may be eligible for one or more incentive in combination:
 - 5% In-County Relocation Incentive. The State will seek to keep all residents who participate in a buyout in New York State, and as residents of the county in which they currently reside. This incentive will be offered to residents who permanently relocate within the same county in which their storm damaged property is located, at the completion of their buyout and for a defined period of years thereafter.
 - 10% Enhanced Buyout Incentive. In an effort to relocate homeowners out of these high risk areas - to protect as many as possible from future disasters - the State will seek the maximum level of homeowner participation by offering this individual incentive so that as much land as possible within these areas can be returned to and reclaimed by nature, land that will be maintained in perpetuity as coastal buffer zones.
 - 10% Enhanced Group Buyout Incentive. As part of the larger effort to encourage the maximum level of homeowner participation, and to return

as much land as possible to nature to be maintained in perpetuity as coastal buffer zones, the State will offer this incentive to certain very limited clusters of homeowners in these high risk areas which participate in the buyout program (i.e. 2-10 consecutively located properties).

- Assistance shall be for property purchased after accounting for all Federal, State, local and/or private sources of disaster-related assistance, including, but not limited to, homeowners and/or flood insurance proceeds.
- All customary costs associated with the acquisition of private property, including appraisal, legal, survey, title preparation and insurance, may be paid for using this source of funds.
- Demolition costs may also be paid using this source of funds.
- Site work and property maintenance costs, including environmental remediation, grading and security, may also be paid for using this source of funds.
- As of this writing, the State is planning to seek a waiver from HUD that would allow re-development of property outside of the 100-year floodplain, that is acquired through a buyout, so long as housing is built to mitigate future flood impact.

➤ Small Multi-Family Repair and Reconstruction

- Available to owners of multi-unit (3-7 units) residential buildings located outside of New York City including: Rental properties, including owner-occupied rental properties, non-owner-occupied properties that may be attached, semi-attached, detached/scattered site, which in the aggregate does not exceed a total of seven (7) units. New York City will administer its own CDBG-DR programs directly.
- Will cover costs for the repair/replacement of damage to real property (including mold remediation); replacement of disaster-impacted non-luxury residential appliances; and environmental health hazard mitigation costs related to the repair or rehabilitation of disaster-impacted property.
- Assistance shall be for unmet rehabilitation or repair needs after accounting for all Federal, State, local and/or private sources of disaster-related assistance, including, but not limited to, homeowners and/or flood insurance proceeds.
- All reconstruction of substantially damaged buildings must incorporate Green Building Standards.
- Rehabilitation of non-substantially damaged buildings must follow guidelines in the HUD Green Building Retrofit Checklist.
- Household income of tenants may be used in determining eligibility for assistance under this program, or may, at a minimum, be required for reporting purposes.

➤ Small Multi-Family Mitigation

- Available to owners of multi-unit (3-7) residential buildings located outside of New York City, including owner-occupied rental properties, as well as non-owner-occupied properties that may be attached, semi-attached,

detached/scattered site, which in the aggregate do not exceed a total of seven (7) units. New York City will administer its own CDBG-DR programs directly.

- Will cover costs to mitigate future damage.
- Assistance shall be for unmet rehabilitation or repair and mitigation needs after accounting for all Federal, State, local and/or private sources of disaster-related assistance, including, but not limited to, homeowners and/or flood insurance proceeds.
- All reconstruction or mitigation of substantially damaged buildings must incorporate Green Building Standards.
- Rehabilitation of non-substantially damaged buildings must follow guidelines in the HUD Green Building Retrofit Checklist.
- Household income of tenants may be used in determining eligibility for assistance under this program, or may, at a minimum, be required for reporting purposes.

➤ Large Multi-Family Mitigation

- Available to owners of multi-unit properties with eight or more units located outside of New York City including owner-occupied rental properties, as well as non-owner-occupied properties that may be attached, semi-attached, or detached/scattered site. New York City will administer its own CDBG-DR programs directly.
- Property is located within a 100-year floodplain and sustained damage as a result of the disaster.
- Will cover costs to mitigate future damage.
- Assistance shall be for unmet mitigation and associated rehabilitation or repair needs after accounting for all Federal, State, local and/or private sources of disaster-related assistance, including, but not limited to, homeowners and/or flood insurance proceeds.
- All reconstruction or mitigation of substantially damaged buildings must incorporate Green Building Standards.
- Rehabilitation of non-substantially damaged buildings must follow guidelines in the HUD Green Building Retrofit Checklist.

B. Economic Development

The State estimates that it will allocate approximately \$415 million from its first CDBG-DR allocation to programs in this category. The exact allocation will depend upon the total number of eligible activities identified and the total amount of funding approved for all other eligible activities.

Business Assistance Programs

The State proposes the following programs for economic development:

➤ **Small Business Grant Program**

- Grants will be provided to eligible businesses to help purchase or repair needed equipment, renovate facilities that were damaged or destroyed, to support mitigation efforts to protect the business from future storms, or to cover any of the eligible activities listed in Section 4 of this document.
- Grants of up to \$50,000 will be available to cover eligible uncompensated losses with a potential to extend grants up to \$100,000 for businesses that suffered physical damage and are at risk of closure or significant employment loss.
- Available to businesses located in one of New York State's designated disaster areas. New York City will administer its own CDBG-DR programs directly.
- Priority will be given to businesses that have fewer than 100 full-time equivalent employees either at the time of application or at the time of the storm that inflicted damage upon the business.
- Business must have suffered eligible uncompensated losses as a direct result of Hurricane Sandy, Hurricane Irene or Tropical Storm Lee.
- Grants may be provided to small businesses (as defined by the SBA), including farming operations.
- Grants may be provided to non-profit organizations.
- Salary ranges for those positions created or retained through assistance under this program will be required for reporting purposes.

➤ **Small Business Loan Program**

- Loans of up to \$1 million will be provided to eligible businesses to help purchase or repair needed equipment, renovate facilities that were damaged or destroyed, to support mitigation efforts to protect the business from future storms, or to cover any of the eligible activities listed in Section 4 of this document.
- Available to businesses located in one of New York State's designated disaster areas. New York City will administer its own CDBG-DR programs directly.
- Low-interest loans may be provided to small businesses (as defined by the SBA), including farming operations.
- Low-interest loans may be provided to non-profit organizations.

- Priority will be given to businesses that have fewer than 100 full-time equivalent employees either at the time of application or at the time of the storm that inflicted damage upon the business.
 - Business must have suffered eligible uncompensated losses as a direct result of Hurricane Sandy, Hurricane Irene or Tropical Storm Lee.
 - Loans will be targeted at businesses unable to secure SBA disaster loans.
 - Salary ranges for those positions created or retained through assistance under this program will be required for reporting purposes.
- Small Business Consulting and Mentoring Program
- New York State, in conjunction with the State's Small Business Development Centers (SBDC), will use up to \$3 million to provide eligible technical or legal assistance and business coaching to assist businesses in rebuilding their businesses.
 - Consultants and business coaches may be made available to businesses to discuss business development and recovery issues.
 - Available to businesses located in one of New York State's designated disaster areas. New York City will administer its own CDBG-DR programs directly.
 - Priority will be given to businesses that have fewer than 100 full-time equivalent employees either at the time of application or at the time of the storm that inflicted damage upon the business.
 - Business must have suffered eligible uncompensated losses as a direct result of Hurricane Sandy, Hurricane Irene, or Tropical Storm Lee.
- Coastal Fishing Industry Program
- Grants of up to \$50,000 will be made available to affected businesses or individuals qualified as a Coastal Fishing Industry.
 - Available to businesses located in one of New York State's designated disaster areas. New York City will administer its own CDBG-DR programs directly.
 - Priority will be given to businesses that have fewer than 100 full-time equivalent employees either at the time of application or at the time of Hurricane Sandy.
 - Business must have suffered eligible uncompensated losses as a direct result of Hurricane Sandy.
 - Business must be in the Coastal Fishing industry.
 - Salary ranges for those positions created or retained through assistance under this program will be required for reporting purposes.
- Seasonal Tourism Industry Program
- Grants of up to \$50,000 will be provided to eligible seasonal tourism businesses
 - Available to business located in one of New York State's designated disaster areas. New York City will administer its own CDBG-DR programs directly.

- Priority will be given to businesses that have fewer than 100 full-time equivalent employees either at the time of application or at the time of Hurricane Sandy.
 - Business must have suffered eligible uncompensated losses as a direct result of Hurricane Sandy or have documented loss of job opportunities.
 - Business must be in the Seasonal Tourism industry.
 - Salary ranges for those positions created or retained through assistance under this program will be required for reporting purposes.
- Business Assistance Program and Tourism Promotion Marketing
- In addition to direct grant assistance to businesses in the Coastal Fishing and Tourism Industries, New York proposes to allocate funds to the State to undertake industry-wide marketing efforts for these two industries, as well as general marketing efforts to promote the availability of assistance under these programs.
 - Marketing will also be used for a tourism promotion effort to encourage visitors to return to the areas that are dependent upon tourism for their economic livelihood, ensuring a minimal impact on the economic benefit provided to communities and businesses during the upcoming summer season.

C. Resilience and Retrofit

The State has identified significant need to provide assistance for energy-related mitigation to essential services facilities including, in particular, hospitals, nursing homes, and other facilities for vulnerable populations. Many essential services facilities did not have backup power systems or had ineffective backup systems that failed during the storm. As a result of this, numerous facilities had to evacuate patients which posed a greater risk to those patients than allowing them to remain in place during the storm.

New York State will establish the Resilience and Retrofit program. The State anticipates allocating approximately \$30 million from this first allocation of CDBG-DR funding to provide credit enhancement or leverage for private-sector financing of energy-related mitigation projects.

➤ **Resiliency Retrofit Fund**

- Essential services facilities will be eligible to receive assistance to perform energy-related mitigation including, but not limited to, installation of backup power systems.
- Eligible facilities may include, but are not limited to, hospitals, long- and short-term care facilities, nursing homes, and clinics.

D. Community Planning and Redevelopment

New York State will establish the Community Reconstruction Zone (CRZ) planning grants. The State anticipates allocating approximately \$25 million from this first allocation to provide planning grants to targeted communities selected by a CRZ planning committee. Later allocations will be used to implement successful CRZ plans. NYS will ensure that CRZ activities will not overlap or duplicate existing National Disaster Recovery Framework Community Planning and Capacity Building Recovery Support (RSF) efforts. Where possible, CRZ will dovetail with existing RSF plans to allow for further planning and project implementation activities. This program will also complement New York City's ongoing planning process for specified communities.

The planning grants will facilitate the retention of outside experts as consultants to a participating community's planning committee, as well as the completion of critical studies to determine the key vulnerabilities and needs of the community. The State will provide information and guidance to the committees to assist them in identifying and using such outside resources effectively and efficiently.

The Community Reconstruction Zone Planning Committee

Each identified community must convene a CRZ planning committee that includes, among others, a representative from the County, Town or Village, elected legislative representatives, as well as the directors of established organizations and businesses in the community selected by the State in consultation with local officials. The membership of each committee will be reviewed by the State. The members of the planning committees will not be paid, and they will be required to execute a code of ethics that will govern their work on the committee, for which training will be provided by the State.

The Planning Process & Technical Assistance

The CRZ planning committees will be expected to take several months to complete their CRZ reconstruction plans for submission to the State. The planning process will be expected to include the following important steps:

1. *Inventory of Vulnerabilities and Damaged Assets.* The first step in the CRZ planning process will require a rigorous analysis of the community's infrastructure, economy, and assets to determine where the community's greatest vulnerabilities and opportunities lie. This analysis will include assessment of the vulnerability of physical assets – for example, water treatment plants, nursing homes, hospitals, waterfront properties and beaches – and of systems such as local transportation, zoning and building codes, and residential development. Key structures that were damaged by the storm will also be integrated into this analysis.
2. *Public Engagement.* Public input is a critical component of successful planning. Accordingly, the planning committee must offer opportunities for such input and comment at key milestones in the planning process.
3. *Assessment of Economic Need.* The committee will assess the key drivers of the community's economy to identify both weaknesses and potential opportunities for growth.
4. *Identify & Prioritize Options for Investment and Action.* Using these initial assessments, the planning committee will then determine the range of potential investments and their relative priority based upon their cost, benefits, and collateral impacts on multiple aspects of life in the community. In addition, actions such as zoning changes or other policy changes to improve the resilience and economy of the community will also be prioritized.
5. *Engagement in Regional Planning Process.* On Long Island and in other areas if appropriate, each planning committee will be required to participate in planning sessions at the regional level organized by county officials and outside organizations. Such sessions will help to ensure that the regional plan developed through this process reflect the work of the CRZ planning committees and that the CRZ plans are consistent with the regional planning process.
6. *Draft CRZ Reconstruction Plans.* With assistance from the applicable State agencies and outside consultants where appropriate, each planning committee will then draft a CRZ reconstruction plan that seeks to meet the criteria discussed below. The State will provide a template for such reconstruction plans with the award of a planning grant.
7. *Submission of the Reconstruction Plans to the State.* Each planning committee will submit a completed reconstruction plan to the State. The State will then review each plan against the criteria set forth below.

A number of New York State agencies will organize intensive community workshops and provide ongoing technical assistance throughout the planning process to help the planning committees complete their work effectively. In addition, the Rockefeller Foundation will help to sponsor such workshops and bring in experts from around the country and the world to provide lessons and strategies from past rebuilding efforts in

other areas. Such assistance will include, but is not limited to, draft templates and standards for conducting inventories of vulnerable assets, data and maps to show the vulnerabilities of the community to various threats, and technical support to help complete these initial assessments.

Characteristics of a Successful Reconstruction Plan

To qualify for an implementation grant from the State, reconstruction plans must address the issues listed below. Any modifications to this list will be provided prior to approval of a planning grant and will be posted on the State's website.

1. *Assessment of risk/vulnerability of key assets and systems.* As the starting point of the reconstruction plans, a comprehensive inventory of the vulnerabilities of key assets and systems is necessary to allow the committee to prioritize various projects and actions. Key assets and systems should be considered for each relevant recovery support function: infrastructure, natural and cultural resources, housing, economic development, and health and social services.
2. *Potential to restore and increase resilience of key assets.* The Reconstruction Plan should address both the restoration of key assets and actions that will make them more resilient to future threats. Examples of such projects and actions include restoration or mitigation of natural infrastructure (e.g., wetlands, oyster reefs, dunes, and other green infrastructure), changes in land use regulations (e.g., changes in use, increased setbacks, and transfer of density) to encourage sound development outside of vulnerable areas, or investments in transportation or other improvements in community systems to prepare for future threats.
3. *Potential for economic growth co-benefits.* Reconstruction plans should include projects that will improve the future of the local economy while also enhancing the resilience of the community, producing co-benefits. For example, investments in new recreational assets (e.g., new green space that serves as a buffer against coastal flooding) may protect against storm damage or serve as redundant protection in critical areas, while also drawing tourists or facilitating the growth of new businesses.
4. *Protection of Vulnerable Populations.* Reconstruction plans should include new measures to protect vulnerable persons (e.g., elderly and special needs individuals) in the event of a future emergency, such as new protocols for emergency response to ensure rapid assistance is provided to vulnerable persons, new backup power systems for critical facilities (e.g., nursing homes, hospitals) or improved communications systems to ensure that vulnerable persons are not left without aid.
5. *Regional Coordination.* To ensure that reconstruction plans are consistent with regional objectives, and that regional plans serve communities' long-term objectives, Long Island communities and communities in other areas identified by the State must participate in a regional planning process. The details of the regional planning process will be provided prior to approval of a planning grant and will be posted on the State's website.
6. *Detailed Implementation Approach.* Each reconstruction plan must include a clear and detailed proposed approach to implementation of projects and strategies in each recovery support area. The implementation approach must assign

responsibility for specific actions to specific individuals or organizations, and establish timelines for each action. The State will work with each committee and local officials to ensure that approaches to implementation are realistic and actionable.

E. Public Infrastructure and Facilities and Local Government Support

Public Infrastructure and Facilities

New York State anticipates allocating up to \$250 million from this allocation of CDBG-DR funds to provide the non-Federal FEMA match required for CDBG-eligible Public Assistance Program activities for county and local governments, or as the non-Federal match requirement needed to carry out CDBG-DR eligible activities funded by any other Federal agency(ies).

Local Government Support

Local governments are experiencing financial distress as a result of Superstorm Sandy. Damaged homes and property loss have removed valuable assets from local tax rolls, resulting in a loss of revenue to localities.

Local governments are encouraged to take advantage of the Traditional Community Disaster Loan Program, which is administered by FEMA, and applied for by New York State on the locality's behalf. To qualify jurisdictions must have suffered a loss in excess of 5% of tax or other revenues as a result of the major disaster and demonstrate the need for Federal assistance to perform its governmental functions. The amount of the loan shall not exceed 25% of the annual operating budget of the locality for the fiscal year of the disaster. Maximum amount of the loan is \$5,000,000; or 50% up to a maximum of \$5,000,000 when the loss of tax and other revenue amounts to 75% of the operating budget for the fiscal year of the disaster. Repayment terms are 5 years, although can in some circumstances be extended to 10 years. Loans can only be used to maintain existing governmental functions or to expand such functions to meet disaster needs. Loans may not be used for capital improvements, repair of disaster damaged facilities or payment of non-federal cost share of any Federal program.

FEMA provides the staff to conduct a financial analysis of applicants, and works closely with the applicants in completing the process.

F. Infrastructure Bank

New York State will create a dedicated infrastructure bank to help coordinate infrastructure development and investment across the disaster region. Up to \$20 million in CDBG-DR funds will be combined with State funds and committed to financing eligible infrastructure projects that apply for assistance through the Bank. The Bank will benefit New York by introducing a centralized approach to infrastructure related decision making rather than a project-by-project, agency specific process. The focus of the Bank's investments will be on projects that increase the resiliency of the area's infrastructure to withstand future threats or provide redundancy of critical systems.

The Bank will take several steps to carry out these goals, including developing a system for prioritizing infrastructure projects and initiatives, providing a centralized approach to the State's infrastructure planning process, managing State recovery funds for infrastructure and other sources of capital, negotiating opportunities for private sector investment in infrastructure and financing approved projects. The planning processes and expertise of the New York Works Task Force will be embedded into the Bank's functions.

The Bank may make use of funds from several sources, including federally allocated recovery funds, diverted or created revenue, proceeds from the sale of long-term debt and credit enhancements with other state entities. In addition, the Bank will work with both public and private investors to raise funds to finance infrastructure developments. An advantage that the Bank will have is the ability to combine several sources of funds (e.g., Federal funds with private funds) to finance projects as effectively as possible. The Bank will showcase potential projects to engage the private sector in opportunities for investment in infrastructure.

4. Eligible & Ineligible Activities

This first tranche of the CDBG-DR funds must be used toward short and long-term recovery activities, addressing disaster relief, restoration of infrastructure and housing and economic revitalization, directly related to the storm damage from Hurricane Sandy, Hurricane Irene or Tropical Storm Lee.

Eligible:

CDBG-DR funds from the HUD disaster appropriation may be used for eligible CDBG activities that meet the State CDBG program regulations as found at 24 CFR 570.482 or any activity for which HUD has issued a waiver. The assistance may be provided for eligible projects to which FEMA has provided assistance, or that other sources, including FEMA, cannot fund or cannot fund in full, but which are nevertheless critical to recovery, or for activities where the costs significantly exceed the amount of assistance that FEMA or other sources can fund. However, any appropriation covered by this Plan (Public Law 113-2) shall be reviewed for compliance with duplication of benefits guidelines at 42 U.S.C. 5155, which specifically prohibit the use of funds for activities reimbursable by, or for which funds have been made available by FEMA, the Small Business Administration (SBA), or other Federal or State sources. Funds may also be used as a matching requirement, share, or contribution for any other Federal program, provided all activities are CDBG-DR eligible and in compliance with duplication of benefit guidelines.

- Pre-Agreement Costs: The provisions of 24CFR 570.489(b) permit a State to reimburse itself for otherwise allowable costs incurred by itself or its sub-grantees on or after the incident date of the covered disaster. Any unit of general local government receiving a direct allocation under this Notice is subject to the provisions of 24CFR 570.200(h) but may reimburse itself or its sub-grantee(s), a local government, a homeowner, rental property owner, or business owner for otherwise allowable disaster recovery related costs incurred on or after the incident date of the covered disaster. This may include pre-agreement costs for Hurricane Sandy back to October 29, 2012.
- Structures used by religious organizations may be assisted where a structure is used for both religious and secular uses and the rehabilitation and/or construction costs are attributable to the non-religious use. As of this writing, no specific CDBG-DR eligible projects for religious institutions have been identified, however the State reserves the right to assist eligible projects as need is identified.
- Program delivery costs which may include, but are not limited to applicant intake, development of cost estimates, engineering design, underwriting, and compliance actions for environmental hazards

- By the terms of Federal law, activities using NYS CDBG-DR funding may be funded in the following Counties:

- | | |
|--------------------------------------|------------------------------------|
| <input type="checkbox"/> Nassau | <input type="checkbox"/> Brooklyn |
| <input type="checkbox"/> Suffolk | <input type="checkbox"/> Kings |
| <input type="checkbox"/> Westchester | <input type="checkbox"/> Queens |
| <input type="checkbox"/> Rockland | <input type="checkbox"/> Schoharie |
| <input type="checkbox"/> Orange | <input type="checkbox"/> Tioga |
| <input type="checkbox"/> Putnam | <input type="checkbox"/> Broome |
| <input type="checkbox"/> Sullivan | <input type="checkbox"/> Greene |
| <input type="checkbox"/> Ulster | <input type="checkbox"/> Sullivan |
| <input type="checkbox"/> New York | |
| <input type="checkbox"/> Richmond | |

As of this writing, New York State is working with HUD to ensure that all counties in the State impacted by Hurricane Irene and Tropical Storm Lee are eligible for CDBG-DR assistance, not just those listed above and in the March 5, 2013, Federal Register Notice. The listing above will be updated upon formal confirmation from HUD.

Ineligible:

By the terms of Federal law, ineligible activities include, but may not be limited to, the following:

- General government expense
- Political activities
- Operations and maintenance
- Income payments
- Assistance to second homes
- Replacement of lost business revenue as a result of the storm
- Assistance to Private Utilities
- Purchase of equipment (with several exceptions, e.g., as part of an eligible economic development activity, a public service activity, a solid waste disposal facility or an integral part of a public facility project.)
- Any assistance to a business or property owner who received FEMA assistance in the past where required flood insurance has not been maintained

Funds Provided for Housing Related Activities

- Only housing units located in counties designated as eligible for the FEMA Individual Assistance Program (IAP) will be eligible to receive funding under this category.
- Household income may be used in determining eligibility for assistance under this category, or may, at a minimum, be required for reporting purposes for households assisted under the National Objective of urgent need.
- Second homes are ineligible for assistance. Second homes are defined as follows:
 - If a second home is not rented out at any time during the year, it is a second home regardless of if it is used by the household or not.

- If a home is rented out part of the year and the owner uses the home more than 14 days or more than 10% of the number of days during the year that the home is rented, then it is a second home.
- If a home is rented out for part or all of the year and the owner does not use the home long enough (as defined above) then it is rental property and not a second home.
- Rental units that meet the Internal Revenue Service's definition of a rental unit are eligible for assistance, as are condominium associations, housing cooperatives and garden apartments.
- Funds may be used as a matching requirement, share, or contribution for any other Federal program, provided all activities are CDBG-DR eligible and in compliance with Federal Duplication of Benefit.
- Assistance may also be provided for eligible projects that FEMA or other sources cannot fund, but which are nevertheless critical to recovery or for activities where the costs significantly exceed the amount of assistance that FEMA or other sources can fund.
- CDBG-DR funds from the HUD disaster appropriation may be used as the required match for housing activities funded under FEMA or any other State or Federal sources.
- Any appropriation covered by this Plan (Public Law 113-2) shall be reviewed for compliance with Duplication of Benefits guidelines at 42 U.S.C. 5155, which specifically prohibits the use of funds for activities reimbursable by, or for which funds have been made available by FEMA, the Small Business Administration (SBA), or other Federal or State sources, or private sources, including, but not limited to insurance payments.
- Eligible Housing Activities may include:
 - Repair/replacement of damage to real property, including, but not limited to:
 - Roof repair/replacement
 - Window/door repair/replacement
 - Siding repair/replacement
 - Flooring repair/replacement
 - Drywall/finishing to pre-event condition
 - Insulation
 - Bathroom repair/rehabilitation
 - Foundation repairs
 - Kitchen cabinet replacement
 - Well/septic replacement or connection to municipal system
 - Electrical system repair/replacement from the weatherhead
 - Replacement of disaster-impacted non-luxury residential appliances, including, but not limited to:
 - ✓ Stoves
 - ✓ Refrigerators
 - ✓ Water heaters
 - ✓ Heating Systems
 - ✓ Fuel tanks (oil/propane but not actual fuel replacement)
 - ✓ Water filtration systems
 - Engineering, architectural and/or design costs

- Environmental Health Hazard Mitigation costs related to the repair or rehabilitation of disaster-impacted property (i.e. lead based paint abatement, asbestos removal, mold remediation, or other health hazards) including testing and clearance requirements.
- Cost-effective mitigation assistance of damaged properties to elevate homes or key utility systems, or to prevent damage that may be caused in a future storm.
- Buyout/acquisition of residential property, including vacant or undeveloped lots in targeted areas.
- Replacement of destroyed housing or housing that needs to be demolished due to the severity of damage as a result of the storms.
- Reimbursement to local governments for eligible demolition and site restoration costs, and some or all of survey, legal and administrative costs and abatement fees.
- Emergency mortgage payment assistance.

Funds Provided for Economic Development Related Activities

- Only those businesses located in counties designated as eligible for FEMA Individual Assistance Program (IA) will be eligible to receive funding under this category.
- For-profit businesses must meet the definition of a Small Business as defined under 13 CFR Part 121.
- Not-For-Profit enterprises may also be assisted.
- Funds may be used as a matching requirement, share, or contribution for any other Federal program, provided all activities are CDBG-DR eligible and in compliance with Federal duplication of benefit restrictions.
- Assistance may be provided for eligible projects that FEMA or other sources cannot fund, but which are nevertheless critical to recovery, or for activities where the costs significantly exceed the amount of assistance that FEMA or other sources can fund.
- CDBG-DR funds from the HUD disaster appropriation may be used as the required match for economic development projects funded under FEMA or any other State or Federal sources.
- Any appropriation covered by this Plan (Public Law 113-2) shall be reviewed for compliance with Duplication of Benefits guidelines at 42 U.S.C. 5155, which specifically prohibits the use of funds for activities reimbursable by, or for which funds have been made available by FEMA, the Small Business Administration (SBA), or other Federal or State sources, or private sources including but not limited to insurance payments.
- Property owners who do not own a business, but who lease commercial space to business owners, may also qualify for assistance if the business(es) located in the leased space are qualifying businesses under CDBG-DR rules and regulations.
- Eligible Economic Development Activities include, but are not limited to:
 - Purchase of equipment, materials, inventory, furniture, fixtures
 - Employee training
 - Acquisition of real property
 - Working capital

- Construction, rehabilitation, reconstruction of buildings (Federal Davis-Bacon Wage Rates may apply)
- Engineering, architectural, and/or design costs
- Infrastructure directly associated with economic development activities
- Technical assistance
- Any other eligible business related activity (consultation and approval by the OCR is required)
- Marketing and outreach to solicit applications from businesses eligible for any of the State's proposed programs

Funds Provided for Resilience and Retrofit Activities

- Only projects located within counties designated as eligible for FEMA Public Assistance (FEMA PA) can receive funds under this category.
- Any appropriation covered by this Plan (Public Law 113-2) shall be reviewed for compliance with the Federal Duplication of Benefits guidelines at 42 U.S.C. 5155, which specifically prohibits the use of funds for activities reimbursable by, or for which funds have been made available by FEMA, the Army Corps of Engineers (ACE), or other Federal or State sources, or private sources, including, but not limited to insurance payments.
- Any eligible CDBG activity for which a waiver has been issued by HUD.

Funds Provided for Planning and Redevelopment Activities

- Only projects located within counties designated as eligible for FEMA Public Assistance (FEMA PA) can receive funds under this category.
- Any appropriation covered by this Plan (Public Law 113-2) shall be reviewed for compliance with the Federal Duplication of Benefits guidelines at 42 U.S.C. 5155, which specifically prohibits the use of funds for activities reimbursable by, or for which funds have been made available by FEMA, the Army Corps of Engineers (ACE), or other Federal or State sources, or private sources, including, but not limited to insurance payments. Any eligible CDBG planning activity or planning activity for which a waiver has been issued by HUD.

Funds Provided for Infrastructure and Facilities Activities as the non-Federal match to carry out CDBG-DR eligible activities jointly funded by other Federal agencies.

- Only projects located within counties designated as eligible for FEMA Public Assistance Program (FEMA PA) can receive funds under this category.
- Any appropriation covered by this Plan (Public Law 113-2) shall be reviewed for compliance with the Federal Duplication of Benefits guidelines at 42 U.S.C. 5155, which specifically prohibits the use of funds for activities reimbursable by, or for which funds have been made available by FEMA, the Army Corps of Engineers (ACE), or other Federal or State sources, or private sources, including, but not limited to insurance payments.
- CDBG-DR funds from the HUD disaster appropriation may be used for up to the 25 percent required local match for public assistance projects funded under FEMA, or as the non-Federal match requirement needed to carry out CDBG-DR eligible activities funded by any other Federal agency(ies).

- Eligible Infrastructure Activities may include, but are not limited to:
 - Water/sewer treatment facilities and including storm sewer
 - Flood control mitigation projects
 - Streets and sidewalks
 - Boardwalks and other coastal infrastructure
 - Public Utilities
 - Other public infrastructure as needs are identified and in consultation with the State to determine eligibility.

Funds Provided for Infrastructure Bank

- Only projects located within counties designated as eligible for FEMA Public Assistance Program (FEMA PA) can receive funds under this category.
- Any appropriation covered by this Plan (Public Law 113-2) shall be reviewed for compliance with the Federal Duplication of Benefits guidelines at 42 U.S.C. 5155, which specifically prohibits the use of funds for activities reimbursable by, or for which funds have been made available by FEMA, the Army Corps of Engineers (ACE), or other Federal or State sources, or private sources, including, but not limited to insurance payments.
- Eligible Infrastructure Activities may include, but are not limited to:
 - Water/sewer treatment facilities and including storm sewer
 - Flood control mitigation projects
 - Streets and sidewalks
 - Boardwalks and other coastal infrastructure
 - Public Utilities
 - Other public infrastructure as needs are identified and in consultation with the State to determine eligibility.

5. State and Local General Administration

State and local general administration will typically include staff, equipment, consultant, and other operating costs involved in selection, funding, assisting, and monitoring local projects, detailed quarterly reporting to HUD, documentation of adherence to all laws, and other expenses.

At this time the State anticipates allocating up to \$85.7 million from its first allocation of CDBG-DR funds to State and Local General Administration. This may include efforts to provide technical assistance, public education, working within existing administrative infrastructure, and expanding on already existing programs to create the greatest efficiency for minimizing administrative costs. However, the exact allocation will be dependent upon the total number of eligible activities identified and the total amount of funding approved for all other eligible activities.

Actual expenses up to 5 percent of all CDBG-DR disaster funds received by the State may be allocated to this activity. Recipients (i.e. sub-grantees and subrecipients) will be strongly encouraged to minimize their administrative costs so that the amount available for program activities will be maximized. To promote this goal, the amount of allowable Recipient administrative costs will be capped at a reasonable amount for each of the various activity categories (i.e. housing repair, economic development, community planning, public infrastructure), but will not exceed 5 percent for any of the categories.

6. Promoting high quality durable, energy efficient and mold resistant construction methods

All newly constructed multi-family and single-family housing must meet all locally adopted and enforced building codes, standards and ordinances. In the absence of locally adopted and enforced building codes, standards and ordinances, the requirements of the State Building Code apply. All newly constructed housing must also meet the requirements of the 2006 International Energy Efficiency Code.

All single- and multi-family housing activities involving rehabilitation and/or mitigation must meet all locally adopted and enforced building or housing codes, standards or ordinances. In the absence of locally adopted and enforced building or housing codes, standards or ordinances, the requirements of the State Building Code apply. The State Building Code under the direction of the New York Department of State has adopted the International Building Code and related publications.

All new construction of residential buildings or replacement and/or reconstruction of substantially damaged buildings must incorporate Green Building Standards; and rehabilitation of non-substantially damaged buildings must follow guidelines in the HUD CPD Green Building Retrofit Checklist. Any construction subject to the Green Building Standards must meet an industry-recognized standard and achieved certification under at least one of the following programs:

- ENERGYSTAR
- Enterprise Green Communities
- LEED
- ICC-700 National Green Building Standard
- EPA Indoor AirPlus
- Any other equivalent comprehensive green building program approved by the OCR.

7. Provision of adequate, flood resistant housing for all income groups that lived in the disaster impacted areas

As outlined in this Action Plan, the State of New York may provide a portion of its initial CDBG-DR supplemental appropriation for affordable single-family and multi-family housing activities, including rehabilitation, mitigation, and direct buyout assistance in the impacted areas.

New York has a broad array of programs and initiatives to serve individuals with special needs, including the elderly and frail elderly, persons with disabilities, those who are chronically homeless, in danger of becoming homeless, or are making the transition to permanent housing and independent living. Homeless shelters and transitional housing units impacted by the flood will be eligible for assistance through CDBG-DR funds, if these facilities were located outside the 100-year-flood plain. If they were within the 100-year-flood plain the facilities will be eligible for assistance to rebuild outside the flood plain.

The State of New York's 2011-2015 Consolidated Plan, approved by HUD in December, 2010 identifies specific strategies and actions that the State takes to address a variety of housing needs for low- and moderate income-persons, the at-risk population group, as well as those with special needs (e.g., elderly, frail elderly, persons with disabilities, persons with alcohol or other drug addictions and person diagnosed with HIV/AIDS). There is a need for a wide variety of housing options ranging from independent living to supported independent living to group settings to specialized care. Beyond the bricks and mortar is the need to blend required support services with the appropriate affordable housing options. All of these issues will need to be considered as we rebuild our communities following recent storm damage.

All new construction and rehabilitation must keep in mind the needs of the potential occupants of the units, particularly the needs of those with special needs. Lead Centers of Government (COG) and entitlement cities may be required to work with nonprofit agencies as well as persons providing housing to special needs individuals and groups to ensure that their housing is replaced or rehabilitated in a manner appropriate to their needs.

8. Method of Allocation

Through a coordinated outreach effort between NYS HCR, FEMA, the New York State Department of Homeland Security and Emergency Services (DHSES), county and local governments, and other interested parties, New York has developed a list of potential activities to be funded using this allocation of CDBG-DR funding, as described earlier in this Action Plan. The State intends to use the following methodology to allocate CDBG-DR funds within eligible activities.

New York State will allocate its CDBG-DR funds in two ways.

As with its annual non-disaster CDBG allocation, the State will allocate a portion of these CDBG-DR funds directly to Units of General Local Government (UGLG) to assist in administering and delivering housing assistance to eligible residents with a documented unmet need. As of this writing, the State is far along in discussions with representatives of both Nassau and Suffolk Counties regarding the arrangements necessary to enter into contractual agreements that will ensure prompt and efficient delivery of CDBG-DR assistance to eligible residents.

The process by which the State will provide these funds to UGLGs is as follows:

1. The State has developed a program design and will provide specific guidance on administering these funds so that the State's housing assistance program is consistently administered across municipal boundaries and to ensure fairness among Recipients.
2. UGLGs will receive CDBG-DR allocations on a non-competitive entitlement basis, based on an assessment of unmet need within each county for these activities.
3. The OCR through the HTFC will enter in sub-grantee agreements with the UGLGs.
4. UGLGs must follow a citizen participation plan as required by the OCR.
5. UGLGs may administer housing assistance activities directly or may enter into subrecipient agreements with eligible subrecipient entities to assist in the administration of the CDBG DR housing assistance activities. In either case, all funds will be distributed through the OCR and the OCR will retain control of access to the DRGR system, processing of payments, reporting, and authorization of commitment of funds. UGLGs and/or their subrecipients will be responsible for all housing assistance case management and grant administration activities, in accordance with all OCR provided guidance, rules and regulations.
6. The OCR will work closely with each UGLG to ensure a sufficient level of administrative and staff capacity to delivery resources in a timely manner, to ensure all funds are expended in the time allotted for this grant.
7. Unused funds in the program, if any, will be re-allocated based on demand from other UGLGs and the State administered activities.

For those funds not distributed to UGLGs (i.e. economic development) New York has opted to undertake activities directly. The State may administer these resources in one of the following ways:

1. TheOCR may undertake activities directly utilizing internal resources to administer and monitor funds.
2. TheOCR through the HTFC may enter into interagency agreements with other eligible State agencies and/or authorities. Under this scenario, all funds will still be distributed through the OCR and the OCR will retain control of access to the DRGR system, processing of payments, reporting, and authorization of commitment of funds.
3. TheOCR through the HTFC may enter into subrecipient agreements with eligible subrecipient entities to administer portions of the CDBG DR funds. As with the previous scenario, the OCR will retain control of all aspects of DRGR setup, payment processing, reporting, and commitment of funds.
4. TheOCR through the HTFC may enter into contractual agreements with consultants and/or contractors to provide administrative and program delivery services. The OCR would follow proper procurement to obtain the services of the consultants and/or contractors. TheOCR would retain control of selection of recipients and all other aspects of administration and the consultant and/or contractor would provide general administrative assistance.

Any or all of the above methods of allocation are subject to change to ensure an efficient and timely distribution and expenditure of funds in the time allotted for this grant. Any such changes will be subject to the terms of Section 11, *Amendments to the Disaster Recovery Plan*, of this Action Plan.

9. Proposed Distribution of Funds

New York State, in consultation with county and local governments and other stakeholders, is currently evaluating all data available to make the best determinations on the distribution of these CDBG-DR funds. This determination will be based, in part, on FEMA and SBA data as well as on pre-registrations currently being collected for housing and economic development assistance throughout the affected areas. The actual distribution of funds within specific affected areas will be dependent upon the unmet needs identified. However, FR Notice FR-5696-N-01 requires that a minimum of 80% of the State's allocation be allocated to the most impacted and distressed counties of Nassau, Suffolk, and Rockland. The remaining 20% may be allocated to all other eligible counties in addition to the three identified by HUD as most impacted.

The following chart summarizes preliminary estimated expenditure of the initial allocation of NYS CDBG-DR Funding by category and location (actual expenditure will be determined by applications for assistance based on eligible needs that are submitted by individuals, businesses and others within these counties, and may vary from the figures below):

Category (\$ in millions)	Total Amount	Nassau County	Suffolk County	Rockland County	Other or to be allocated*
Housing	\$788	\$511	\$147	\$3	\$127
Economic Development	\$415	\$301	\$104	\$6	\$5
Infrastructure/Facilities (FEMA Match)**	\$250	\$64	\$28	\$2	\$157
Infrastructure bank	\$20	\$0	\$0	\$0	\$20
Resilience Retrofit Fund	\$30	\$12	\$3	\$0	\$15
Community Planning	\$25	<i>TBD</i>	<i>TBD</i>	<i>TBD</i>	\$25
Administration***	\$85.7	<i>TBD</i>	<i>TBD</i>	<i>TBD</i>	\$85.7
Set-aside for future allocation	\$100	<i>TBD</i>	<i>TBD</i>	<i>TBD</i>	\$100
Total	\$1,714	\$888	\$282	\$11	\$534.7

* Specific allocation amounts to all other counties will be determined as unmet need is identified

** Infrastructure/Facilities match includes region-wide infrastructure projects that are not allocated to specific counties (including MTA and LIPA)

***The total amount for Administration to be allocated to the specific counties will be dependent upon the actual allocation of resources to those counties and the administrative needs identified. However, under no circumstances will the total allocation for Program Administration exceed 5% of the overall allocation.

10. Development of the Proposed Disaster Recovery Plan

Prior to the submittal of the initial Disaster Recovery Action Plan to the United States Department of Housing and Urban Development (HUD), public notices including a summary of the proposed plan will be made available for public review through statewide distribution providing an opportunity for citizens to comment. The proposed Action plan will be available, at a minimum, through the NYS Homes and Community Renewal (HCR) website at <http://www.nyshcr.org/Publications/>. The State will identify a deadline for the submittal of written comments of at least seven (7) days on the proposed plan as published on the website. More information on the citizen participation plan for disaster recovery can be found in Section 12, *New York State Citizen Participation*, of this Action Plan.

11. Amendments to the Disaster Recovery Plan

A substantial amendment to the Action Plan may be defined as:

- Addition or deletion of any allowable activity (e.g. Housing Assistance, Business Assistance, Public Facilities/Infrastructure) described in the Plan;
- Significant change in the planned beneficiaries;
 - A change of more than 10 percent in the original proposed funding allocation between the various activity categories of housing, economic development/business assistance, and public facilities and services (unless sufficient applications are not received to meet the targeted percentages for each activity.)

Only those amendments that meet the definition of a substantial amendment are subject to the citizen participation process previously identified herein. Substantial amendments are defined as those which eliminate or add a program category or activity, exclude a previously defined geographical area, or involve a change of more than ten (10) percent of the allocation of funds in any one program category or activity.

A summary of the proposed substantial amendment will be published on the HCR website. Copies of the proposed substantial amendment will be distributed via the website and, citizens will be informed for how copies of the proposed substantial amendment can be obtained. A copy of the proposed substantial amendment may also be reviewed in the Office of Community Renewal. The State will identify a deadline for the submittal of written comments on the proposed substantial amendment; that timeframe will allow no less than seven (7) calendar days and a maximum of 30 calendar days depending on the urgency of the substantial amendment proposed. Written comments may be submitted to the Office of Community Renewal, The Hampton Plaza, 38-40 State Street, 9th Floor, Albany, NY 12207-2804. A summary of all comments received and the State's response to the comments will be attached to the substantial amendment to the Disaster Recovery Plan and submitted to HUD.

Localities will be allowed to amend projects through a "minor amendment" process if the proposed changes are minor and do not materially change the project (generally defined as 10 percent budget line-item change, or 10 percent change in beneficiaries). This provision should not be construed as allowing the general administrative budget to exceed the allowable limit.

12. New York State Citizen Participation

The State of New York developed a specific citizen participation plan for disaster recovery. The plan includes citizen participation requirements both for the State as well as for the Counties and other entities implementing activities under this grant. The State will employ innovative methods to communicate with our citizens and to solicit their views on the proposed uses of disaster-recovery funds. As part of this outreach, New York Homes and Community Renewal will prominently post its Disaster Recovery Action Plan, any Action Plan amendments, and any comments received to its website. The State will also work with its government partners, including Nassau, Suffolk and Rockland Counties, as well as others, to cross-post and promote the availability of these items on their publicly accessible websites to ensure broad promotion and notification of these plans. In addition, advocacy groups will be notified when the Action Plan and any amendments are posted. Through blast e-mails, various groups and municipalities will be notified to ensure interested parties have sufficient time to review and comment on the Plan, or related amendments. These comments and the State's response to the comments will be made a part of the Action Plan and Amendments to the plan. The Disaster Recovery Action Plan and Amendments will be published on the Homes and Community Renewal website, <http://www.nyshcr.org/Publications/>, for review and comments.

The State will consider any comments or views received in writing on the Action Plan and Amendments. Comments should be mailed to:

New York State Homes and Community Renewal
Attention: Alison Russell
The Hampton Plaza, 2nd Floor
38-40 State Street
Albany, New York 12207-2804

Comments may also be e-mailed to HCRCOnPln@nyshcr.org.

Comments must be received by close of business on Tuesday, March 19, 2013.

The Action Plan will be made accessible to persons with disabilities upon request by telephone or written request to the:

New York State Homes and Community Renewal
Office of Community Renewal
The Hampton Plaza, 9th Floor
38-40 State Street
Albany, New York 12207-2804
Telephone (voice) – (518) 474-2057

In order to facilitate citizen participation requirements and to maximize citizen interaction, the State will take whatever actions are necessary to encourage participation by all citizens, especially those of low-and moderate-income, those living in slum and blighted areas and in areas where CDBG funds are proposed to be used, non-English speaking persons, minorities, and those with disabilities.

A. Citizen Participation Requirements for Local Governments Participating in the CDBG-DR Program

To ensure applicant compliance with Section 508 of the Housing and Community Development Act of 1974, as amended, the citizen participation requirements for units of general local government (UGLG) applying for or receiving Disaster Recovery funds from the State are as follows:

Each applicant shall provide citizens with adequate opportunity to participate in the planning, implementation, and assessment of the CDBG program. The applicant shall provide adequate information to citizens, obtain views and proposals of citizens, and provide opportunity to comment on the applicant's previous community development performance.

All UGLGs which receive CDBG-DR funds must have a written and adopted Citizen Participation Plan which:

1. provides for and encourages citizen participation, with particular emphasis on participation by persons of low- and moderate-income who are residents of slum and blighted areas and of areas in which funds are proposed to be used;
2. provides citizens with reasonable and timely access to local meetings, information, and records relating to the State's proposed method of distribution, as required by regulations of the Secretary, and relating to the actual use of funds under Title I of the Housing and Community Development Act of 1974, as amended, and the unit of local government's proposed and actual use of CDBG funds;
3. provides for technical assistance to groups representative of persons of low- and moderate-income that request such assistance in developing proposals with the level and type of assistance to be determined by the grantee;
4. provide for the review of proposed activities and program performance by potential or actual beneficiaries, and with accommodations for the disabled;
5. provides for a timely written answer to written complaints and grievances, within 15 working days where practicable;
6. identifies how the needs of non-English speaking residents will be met where a significant number of non-English speaking residents can be reasonably expected to be involved;
7. Establishes procedures and policies to ensure non-discrimination, based on disabilities, in programs, and activities receiving Federal financial assistance as required by Section 504 of the Rehabilitation Act of 1973, as amended.

The plan must be made available to the public and must include procedures that meet the following requirements:

B. Performance Hearings

Prior to closeout of the disaster recovery program, the UGLG and State subrecipients may be required to hold a public hearing to obtain citizen views and to respond to questions relative to the performance of the program. This hearing shall be held after adequate notice, at times and locations convenient to actual beneficiaries and with accommodations for the disabled and non-English speaking persons provided.

Written minutes of the hearings and attendance rosters must be kept for review by State officials. Nothing in these requirements shall be construed to restrict the responsibility and authority of the applicant for the development of the application.

C. Complaint Procedures

Each UGLG, State Agency/Authority, or Subrecipient funded with CDBG-DR funds must have written citizen and administrative complaint procedures. The written Citizen Participation Plan must provide citizens with information relative to these procedures or, at a minimum, provide citizens with the information relative to the location and hours at which they may obtain a copy of these written procedures.

All written citizen complaints which identify deficiencies relative to the UGLG, State Agency/Authority or Subrecipient's community development program will merit careful and prompt consideration. All good faith attempts will be made to satisfactorily resolve the complaints at the local level. Complaints must be filed with the Chief Elected Official, Agency Head, or Executive Director who will investigate and review the complaint. A written response from the Chief Elected Official, Agency Head, or Executive Director to the complainant will be made within 15 working days, where practicable. A copy will be forwarded to the Office of Community Renewal.

The complainant must be made aware that if she or he is not satisfied with the response, a written complaint may be filed with the Office of Community Renewal. All citizen complaints relative to Fair Housing/Equal Opportunity violations involving discrimination will be forwarded to the following address for disposition: Office of Fair Housing and Equal Opportunity, The Hampton Plaza, 38-40 State Street, Albany, NY 12207-2804.

The Plan must also state that persons wishing to object to approval of a Disaster Recovery application by the State may make such objection known to the Office of Community Renewal in writing. The State will consider objections made only on the following grounds:

1. The applicant's description of needs and objectives is plainly inconsistent with available facts and data;
2. The activities to be undertaken are plainly inappropriate to meeting the needs and objectives identified by the applicant; and
3. The application does not comply with the requirements set forth in the Disaster Recovery Plan and amendments to the plan or other applicable laws.

Documentation must be kept at the local level to support compliance with the aforementioned requirements.

13. Overview of Allocations and Program Delivery

These funds will be used for eligible disaster related activities supporting housing rehabilitation, rebuilding, mitigation, economic revitalization, community planning and infrastructure repair and improvements relating to the disasters of 2011 and 2012.

14. Project Area

The NYS CDBG-DR project area includes those counties previously identified in this document, in New York State, that received Federal disaster declarations as a result of Hurricane Sandy, as well as Hurricane Irene and Tropical Storm Lee, as determined by HUD damage estimates based on FEMA and SBA inspection data and further refined by NYS data. Areas eligible for assistance include non-entitlement communities within those Counties and entitlement areas not already receiving direct assistance under this program.

15. Avoidance and Mitigation of Occurrences of Fraud, Abuse and Mismanagement

1. **Staffing:**

Current non-disaster CDBG programs are administered by seven project staffers with ancillary support staff. The OCR is currently formulating a CDBG-DR specific staffing plan that will provide proper staff levels to ensure that all activities undertaken using these funds are administered effectively and efficiently, in accordance with all applicable rules and regulations, and in the time allotted for this grant. The OCR is also reviewing other options, including but not limited to working with staff in other State divisions, agencies, and authorities, partnering with local governments, working with non-profit and for-profit subrecipients and/or contracting with consultants to assist in the administration of the program.

In addition, the OCR is working with each of the most impacted counties to review options for increasing local administrative capacity including, but not limited to hiring additional staff, partnering with eligible subrecipient entities and/or contracting with consultants to assist in the administration of the program.

2. **Timeliness:**

CDBG-DR funds must be expended within two years from the date the funds are obligated by HUD. It is anticipated that the State will fully obligate and distribute the funds within this deadline.

To ensure that the State delivers against this important goal, it will put in place three critical processes. First, the State will develop a Recovery Management Office (RMO) or similar entity that has the mandate and authority to deliver recovery programs on time and on budget. This organization will be comprised of senior leaders responsible for leveraging state resources to most efficiently deliver recovery programs. This team has already begun to strategically prioritize projects, so that on the first day funds are obligated, the State can begin disbursing them. The RMO will also monitor progress on a project by project basis through both detailed operational dashboards and Tactical Implementation Plans (TIPs) that will establish clear project timelines as well as highlight projects that fall behind schedule. The RMO will have the mandate, the people and tools it needs to successfully drive a successful recovery. Second, the State will develop an online project tracking database, that will outline project-level details and status updates. This tool will improve public transparency and drive accountability for delivering disaster projects on time. Finally, the State will deliver regular recovery status reports, to inform the Federal government, local partners and the public to recovery progress. This three-pronged approach, will position the State to meet the two year disbursement deadline.

3. **Program Income:**

At this time, the State anticipates generating program income through the economic development activities funded with CDBG-DR funds. All program income generated will be returned to the Housing Trust Fund Corporation (HTFC). Upon receipt, the HTFC will allocate the Program Income to its annual allocation of CDBG funding.

These funds will cease to be considered Disaster Recovery funds and will be subject to all standard CDBG regulations. Any program income generated will be governed by the program income guidance provided in the regulations at 24CFR570.489(e) and 24CFR85.25.

4. Procurement:

All UGLGs, State Agencies/Authorities or subrecipients of NYS CDBG-DR assistance must demonstrate compliance with Federal Procurement guidelines as found at 24CFR85.36.

5. Anti-Displacement and Relocation:

All UGLGs, State Agencies/Authorities or Subrecipients of NYS CDBG-DR funds will be expected to minimize displacement of persons or entities and assist displaced as a result of the disasters.

Efforts to conduct buyouts for destroyed and extensively damaged buildings in a floodplain may be excluded from compliance.

6. Prevention of Duplication of Benefits:

For all public infrastructure, housing, and economic development activities, funded in whole or part with NYS CDBG-DR Funds, the OCR will work directly with UGLGs, State Agencies/Authorities or Subrecipients and FEMA and other applicable Federal and State agencies that may provide recovery funds to the project in order to avoid duplication of benefits. Sources of recovery funds may include, but not be limited to, the following: FEMA Individual Assistance, FEMA Public Assistance, SBA Disaster Loans for Businesses and Homeowners/Renters, NYS Homeownership Repair and Rebuilding Fund (HRRF) and the Empire State Relief Fund (ESRF). For both the housing and small business assistance programs to be funded with NYS CDBG-DR, the OCR will be providing written policies and procedures, including all necessary forms and reporting documents, to all sub-grantees, subrecipients, contractors, partners, etc., for their use in the calculation and determination of duplication of benefits. In any case where a duplication of benefits is identified, the OCR will work directly or in conjunction with its sub-grantees, subrecipients, contractors or other partners to ensure the recapture of awarded funds.

7. National Objective:

All activities undertaken with NYS CDBG-DR funds must meet one of the following three National Objectives; address urgent need, primarily benefit low- to moderate-income (LMI) persons, or address slums and blighted conditions, as identified in the Housing and Community Development Act of 1974.

At least 50 percent of the CDBG-DR funds awarded to New York State under this allocation must be used for activities that meet the National Objective of primarily benefiting LMI persons. To ensure compliance with this requirement, the State, along with its sub-grantees, subrecipients, contractors and other partners will take the following steps:

For housing related activities, the State may prioritize assistance through its application and eligibility review process to eligible low- to moderate-income households, identified as those at or below 80% of area median income (AMI), using HUD's 2013 income guidelines in determining AMI. The OCR has been working with each of the most impacted counties identified by HUD to determine the extent of damage sustained within primarily low- to moderate-income areas, and will work with each county to direct all necessary assistance to these areas.

While serving eligible LMI households will be the State's priority, our assessment of need demonstrates that the impact of these disasters extends far beyond predominantly LMI neighborhoods. Therefore, the State will also work to qualify households above 80% of AMI under the National Objective of urgent need, where there exists a documented unmet need resulting from one of these storms. Doing so will ensure assistance is provided to as many households as possible, and contribute to holistic community recovery.

For small business related activities, while it is not a requirement of the CDBG-DR program to document the family incomes of those who benefit from the creation or retention of jobs under this assistance, the OCR will require salary ranges to be reported for all positions created or retained as a result of our small business assistance programs. Doing so will ensure a more accurate reporting of the populations benefitting from assistance under these activities and contribute towards the required 50% expenditure threshold.

The State and its partners will closely monitor the actual expenditure of funds and benefiting populations throughout the administration of all activities under this grant to ensure we meet or exceed the required 50% expenditure threshold.

8. Access to Records:

The State will provide citizens, public agencies, and other interested parties with reasonable and timely access to information and records relating to the State's CDBG-DR Action Plan and the State's use of assistance under the programs covered by the Action Plan during implementation. All requests for such information should be directed to the appropriate agency administering each program.

9. Independent Internal Audit and Investigations:

The State assures compliance with the requirements of A-122 and A-133 through independent internal audit and will provide results of all audits to the Federal Clearinghouse, HUD, the State and the Governor's Office.

10. Citizen Complaints:

The State shall respond to complaints from citizens related to the Disaster Recovery Plan or amendments, and quarterly reports. Written complaints must be directed to the Office of Community Renewal who will further direct the complaint to the appropriate agency as necessary. The State will provide a timely, substantive written response to the complainant within 15 working days, where practicable. All Recipients of funds from NYS (i.e. sub-grantees and subrecipients) will be required

toadopt these procedures for responding to citizens' complaints regarding activities carried out by the Recipient.

11. Regulatory Requirements:

UGLGs, State Agencies/Authorities or Subrecipients must comply with fair housing, nondiscrimination, labor standards, and environmental requirements applicable to the CDBG Program, as follows:

- Fair Housing: UGLGs, State Agencies/Authorities or Subrecipients will be required to take steps to affirmatively further fair housing; and when gathering public input, planning, and implementing housing related activities, will include participation by neighborhood organizations, community development organizations, social service organizations, community housing development organizations, and members of each distinct affected community or neighborhood which might fall into the assistance category of low- and moderate-income communities.
- Nondiscrimination: UGLGs, State Agencies/Authorities or Subrecipients will be required to adhere to the established Federal policies which ensure that no person be excluded, denied benefits or subjected to discrimination on the basis race, color, national origin, religion, sex, familial status, and/or physical and mental handicap under any program funded in whole or in part by Federal CDBG-DR funds. UGLGs, State Agencies/Authorities or Subrecipients will be required to document compliance with all nondiscrimination laws, executive orders, and regulations.
- Labor Standards: UGLGs, State Agencies/Authorities or Subrecipients will be required to oversee compliance with Davis-Bacon Labor Standards and related laws and regulations as provided at 40 U.S.C. 276a-a7 and 29CFR Part 5. Regulations require all laborers and mechanics employed by contractors or subcontractors on CDBG funded or CDBG assisted public works construction contracts in excess of \$2,000, or residential construction or rehabilitation projects involving eight or more units are paid wages no less than those prescribed by the Department of Labor and in accordance with Davis Bacon Related Acts.
- Minority and Women's Business Enterprises (M/WBE): UGLGs, State Agencies/Authorities or Subrecipients are required to take affirmative steps to assure that minority firms, women's business enterprises, and labor surplus area firms are used when possible. UGLGs, State Agencies/Authorities or Subrecipients shall take all of the following steps to further this goal:
 - Ensure that small businesses, minority-owned firms, and women's business enterprises are used to the fullest extent practicable.
 - Make information on forthcoming opportunities available and arrange time frames for purchases and contracts to encourage and facilitate participation by small businesses, minority-owned firms, and women's business enterprises. Consider in the contract process whether firms competing for larger contracts intend to subcontract with small businesses, minority-owned firms, and women's business enterprises. Encourage contracting with consortiums of

small businesses, minority-owned firms and women's business enterprises when a contract is too large for one of these firms to handle individually.

- Use the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Department of Commerce's Minority Business Development Agency in the solicitation and utilization of small businesses, minority-owned firms and women's business enterprises.
- UGLGs, State Agencies/Authorities or Subrecipients should obtain a list of Minority and Women-owned Business Enterprises (MBE/WBE) certified firms by contacting the Empire State Development Corporation, Division of Minority and Women's Business Development, 30 South Pearl Street, Albany, NY 12245, (518) 292-5250 or utilize the website-based retrieval process at www.nylovesmwbe.ny.gov.

- Section 3: In accordance with the requirements under Section 3 of the Housing and Urban Development Act of 1968, as amended, UGLGs, State Agencies/Authorities or Subrecipients shall ensure that employment and other economic opportunities generated by the use of NYS CDBG funds shall, to the greatest extent feasible, be directed to low- and very-low income persons, particularly those who are recipients of government assistance for housing, and to business concerns that provide economic opportunities to low- and very low-income persons. Assistance covered by Section 3 includes the expenditure of NYS CDBG funds for work arising in connection with housing rehabilitation, housing construction, or other public construction projects.

Section 3 requirements are applicable to all procurement actions in excess of the small purchase threshold established at 24 CFR 85.36(d)(1), regardless of whether the procurement is governed by 24 CFR 85.36. Section 3 applies to the entire project or activity funded with assistance that triggers Section 3 requirements.

UGLGs, State Agencies/Authorities or Subrecipients receiving NYS CDBG grants that exceed \$200,000 must include a Section 3 clause in all construction contracts for \$100,000 or more.

- Environmental: Specific instructions concerning environmental requirements at 24 CFR Part 58 will be made available to all UGLGs, State Agencies/Authorities or Subrecipients. Some projects will be exempt from the environmental assessment process, but all UGLGs will be required to submit a Request for Release of Funds, and Certification to the OCR. Funds will not be released for expenditure until the Departments are satisfied that the appropriate environmental review has been conducted. UGLGswill not use CDBG disaster recovery funds for any activity in an area delineated as a special flood hazard area in FEMA's most current flood advisory maps unless it also ensures that the action is designed or modified to minimize harm to or within the floodplain in accordance with Executive Order 11988 and 24 CFR Part 55. New York State will conduct its own environmental review and submit a request for release of funds to HUD for any activities the State undertakes on its own. As applicable, New York may adopt other Federal Agency's environmental reviews for certain Stafford Act activities.

For any activities undertaken by the OCR, other State Agencies/Authorities or any Subrecipients, the OCR will act as the Responsible Entity and conduct all environmental reviews and submit any Requests for Release of Funds directly to HUD for review and approval.

- **Lead Based Paint:** All NYS CDBG-DRfunded housing rehabilitation and mitigation projects must adhere to the EPA regulations at 40CFR Part 745 and the Residential Lead-Based Paint Hazard Reduction Act of 1992 (24 CFR Part 35). These regulations must be carefully followed to ensure that exposure to lead hazards is reduced in any residential property to be rehabilitated or purchased. The regulations can be found at www.hud.gov/offices/lead/enforcement/lshr.cfm.

HUD has created an Interpretive Guidance that can be used to address many of the questions that have arisen as a result of the implementation of these new regulations. The Interpretive Guidance can be found at:

www.hud.gov/utilities/intercept.cfm?/offices/lead/library/enforcement/LSHRGuidance21June04.pdf

For questions that cannot be answered through the regulations or Interpretive Guidance, Recipients should submit their questions in writing to the OCR. TheOCR will respond in writing.

12. Technical Assistance & Capacity Building:

The State understands that many communities have limited capacity as they continue to recover from these storms. The State will provide Technical Assistance to communities as well as resources for communities to build their capacity to administer their disaster recovery CDBG portfolio. UGLGs, State Agencies/Authorities or Subrecipients of CDBG-DR funding will be provided assistance on regulatory compliance throughout the grant process. The goal is to provide the greatest possible autonomy to Counties while ensuring compliance with CDBG regulations.

13. Monitoring:

The State has a monitoring plan for the regular CDBG program and has developed monitoring plans for the oversight of the current disaster recovery funds being undertaken by UGLGs, other State Agencies/Authorities or Subrecipients. These plans will be revised as necessary under this new appropriation and to accommodate any waivers given to the State and other provisions cited in the legislation. Particular attention will be paid to duplication of other benefits. The OCR will ensure through its established application processes, monitoring of UGLGs, other State Agencies/Authorities or Subrecipients, and oversight by the OCR, that recipients are not receiving duplication of benefits and that funds are not used for projects or activities that are reimbursable by or for which funds have been made available by FEMA, SBA, other Federal or State supported grants, etc.

To ensure that each UGLG, other State Agency/Authority or Subrecipient of NYS CDBG-DR funds operates in compliance with all applicable Federal statutes and regulations and according to all deadlines and requirements, a monitoring strategy is

in place that will closely review and monitor the project implementation of Recipients and provides extensive technical assistance for the prevention of non-compliance issues.

Records are maintained for the oversight and monitoring of each UGLG, other State Agency/Authority or Subrecipient while also requiring each UGLG, other State Agency/Authority or Subrecipient to maintain its own records to facilitate the monitoring process and for public access.

Monitoring each UGLG, other State Agency/Authority or Subrecipient requires both on-site and off-site monitoring to track the progress of the projects and compliance with all program requirements. Additionally, a technical assistance visit may be required as a result of a field visit or the identification of potential non-compliance issues.

The objectives of monitoring and reporting are to determine if UGLGs, other State Agencies/Authorities or Subrecipients:

- Are carrying out their NYS CDBG-DR projects as described in their grant agreement with the NYS Housing Trust Fund Corporation (HTFC) and have obtained and organized documentation to support all actions and national objective compliance;
- Are carrying out the project in a timely manner in accordance with the time frames required by the grant agreement;
- Are charging costs to the program or project that are eligible under applicable regulations in compliance with A-122 and/or A-133;
- Are complying with all applicable procedures, policies, laws, regulations and terms of the grant agreement;
- Are conducting the program in a manner which minimizes the opportunity for fraud, waste and mismanagement; and
- Have a continuing capacity to carry out the approved program or project.

In carrying out these objectives, the programs will be reviewed by assessing the administration of the program and compliance with program and regulatory requirements.

Monitoring activities may also include, but are not limited to the following:

- Compliance with Federal Register Notice FR-5628-N-01
- An initial assessment of the capacity and needs of each UGLG, other State Agency/Authority or Subrecipient
- Periodic meetings or conference calls to review all contract conditions, requirements, and procedures for requesting payments
- Detailed explanation of ways to improve grant administration procedures should a grantee be experiencing difficulty

HTFC must further be satisfied with compliance in the following areas:

- Program Administration
- Environmental Compliance
- Civil Rights Compliance
- Citizen Participation
- Conflict of Interest
- Financial Management
- Procurement
- Bonding Requirements and Contract Provisions
- Davis-Bacon Labor Standards Compliance
- Minority and Women's Business Enterprise (M/WBE) Compliance
- Property Acquisition and Management
- Displacement, Relocation, and Replacement
- Policies and Procedures
- Benefit Standard

The identification of compliance problems will result in notification to the UGLG, other State Agency/Authority or Subrecipient and the setting of a deadline for response and compliance. Status shall be further monitored to insure resolution in a timely manner and continued compliance. Where warranted, suspension of CDBG-DR grant funds may occur.

Technical Assistance

The UGLG, other State Agency/Authority or Subrecipient must provide technical assistance to facilitate citizen participation where requested, particularly to groups representative of persons of low- to moderate-income. The level and type of technical assistance shall be determined by the UGLG, other State Agency/Authority or Subrecipient based upon the specific need of the service area.

16. Comments Received

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17. Contact Information

New York State Homes and Community Renewal
Office of Community Renewal
The Hampton Plaza, 9th Floor
38-40 State Street
Albany, New York 12207-2804
Telephone (voice) – (518) 474-2057
DisasterRecovery@nyshcr.org
<http://www.nyshcr.org>