

**Flood Hazard Mitigation Working Group Meeting Minutes**  
**August 25, 2015, 1pm-3pm**  
**AWSMP Office**

*In attendance:*

Leslie Zucker, CCE UC  
Danyelle Davis, DEP (phone)  
Phil Eskeli, DEP (phone)  
Beth Reichheld, DEP  
Tim Cox, CWC  
John Mathiesen, CWC  
Mike Reynolds, Woodstock Highway Superintendent  
Ellen Casciaro, Woodstock Code Enforcement Officer  
Glenn Hoffstatter, Hurley Building Inspector, Code Enforcement Officer  
Sylvia Rozzelle, Olive Supervisor  
Rob Stanley, Shandaken Supervisor  
Aaron Bennett, UC DoE  
Erik Hoffmeister, Shandaken Highway Superintendent  
Heidi Clark, Shandaken Assessor  
Robin Peruso, Ulster County Disaster Assistance Coordinator  
Andrew Emrich, Ulster County DPW  
Adam Cross, Lexington Building Inspector  
Aileen Helsey, NYSDOT

Aaron Bennett began the meeting and made note that he would be facilitating the meeting as Brent Gotsch was unable to attend due to being called for jury duty.

**Welcome and Introductions:**

The members present introduced themselves as there were several new and/or infrequent people in attendance.

**Town of Shandaken Updates:**

Rob S reported that the town has received (to date) three letters from NYCDEP asking for the town's approval to enter into a contract with NYCDEP to proceed with the post-Irene FEMA-funded buyout, thus allowing NYCDEP to ultimately take title to the property. Aaron B and Robin P indicated that there are an additional 15-16 properties participating in the program, however these are the first three in the town with executed contracts between the County, NYCDEP, and the homeowner.

Rob S spoke with Alan Springett at FEMA regarding the numerous issues that the Town has identified with the preliminary FIRMs, mainly involving the confluences of streams (many appear to have up to a 12' difference in water surface elevations just upstream/at confluences - such as at the Stony Clove and Esopus). Alan admitted that there is some bad science associated

with elevations at confluences, mainly because it is only modeled in one dimension. FEMA is waiting for a 2D version (which is coming), but currently only in beta version. FEMA continues to look into several specific examples it has been provided by Town of Shandaken.

Rob S reported the several NY Community Rising projects are moving forward, such as the generator project, which has gone out to bid. All of the bridge projects appear to be moving ahead (letter received by Town indicated this). The town will do its usual public bid process late winter/early spring to allow construction in 2016. Eric H reported that FEMA re-wrote some of the PWs to fully fund the bridges (like Lower Birch Creek), possibly allowing some of the NY Rising funding to be put back into the pot for additional projects on the list.

The Phoenicia and Mt Tremper LFA public meetings went well, and were well attended. Rob S felt that the Mt Tremper meeting was better received by the public.

The future of the flooded (now vacant) homes in Mt Tremper came up in discussion as it did at the Mt Tremper LFA meeting. Robin P shared that the County has received 11 of the 19 signed contracts (back from Shandaken homeowners) to accept the terms and conditions/appraisals, etc for the FEMA buyout program administered by the County. Robin cautioned that the County cannot expend funds for the actual buyout until the main contract between the State, County, and NYCDEP (taking title to properties, covering portions of local match, etc) is executed. County sent a letter to all program participants explain this on July 15.

Each municipality must form a Flood Advisory Committee (which may be a formal process). AWSMP can help municipalities form their committees. The committees identify the flood hazards and risks. The towns then apply for LFA support through AWSMP. Consultants will be hired (Shandaken plans to hire Milone and MacBroom) to do LFAs by modeling different scenarios and they will issue reports on their findings. The committees will review the reports. Once reviewed, the options are presented to the public. The Town Board determines which projects move forward.

### **Town of Olive Update:**

Sylvia R stated that the next meeting of the Olive Flood Advisory Committee (FAC) will be on October 1<sup>st</sup>. The meeting will focus on some of the preliminary results of the Boiceville and West Shokan LFAs. Sylvia and other members of the FAC met with NYCDEP representatives to discuss the situation in West Shokan, where the majority of flooding problems stem from erosion and not inundation of structures (which is the principle focus of LFAs currently).

Sylvia mentioned the possibility of applying for a SMIP grant this fall to fund some design/engineering for potential erosion control projects in hopes that NY Rising (which has allocated \$1M for West Shokan/Bushkill flooding efforts) would fund the construction. The hope would be to have permits by spring and construction before end of 2016.

Sylvia reported that the Town, its consultant (Woidt Engineering) have been working closely with the NYCDEP and its consultants on the construction of the new 5-Arch Bridge below

Boiceville. Some ideas that have been generated by the LFA process is the creation of a floodplain bench, which would need to be captured in the new bridge design. Sylvia reported that the only post-Irene FEMA buyout property in Olive is the Trail Motel in Boiceville.

Sylvia reported that she has received a letter from FEMA a few weeks ago indicating that the 90-day appeal period has started for the Town with respect to the new FIRM maps. She also has yet to receive a new model local law that would accompany the map's adoption, as the NYSDEC suggests updates to the antiquated laws. Rob S has not yet seen one either. Phil E volunteered to follow up with Bill Nechamen on a model law.

Phil E mentioned that he had received an email from Bill Nechamen (NYSDEC State Floodplain Manager) indicating that there will be a second appeals process. Sylvia noted that there are quite a few people in Olive that are anxious to get the new floodmaps adopted quickly, as it will remove a significant number of residents from the mapped floodplain.

A short discussion ensued on how to enable residents to review the preliminary maps. Aaron B noted that the Ulster County Parcel Viewer has both the effective and preliminary map layers on it, and users could simply toggle back and forth between the two to see the changes. It was mentioned that some simple "instructions" on how to view the differences in the maps at specific locations on the website (like at residences/businesses) would likely have to be developed and circulated so the process could be effective. Additionally, there was a feeling among the group that having some examples of real-life discrepancies between existing and effective maps – and the implications of each – would be a good thing so as to better engage the public in the review process.

The topic of obtaining Elevation Certificates, which usually cost about \$800-\$900 depending upon how far from the nearest elevation benchmarks properties are, came up as a way of better clarifying and perhaps correcting the large discrepancies between the old (paper FIRMs) and new digital (DFIRMs) flood insurance rate maps. Rob S reported that Shandaken hired a surveyor to install more of these throughout the town so as to reduce costs on residents. An additional NY Rising project for the town also includes installing more of these. Rob also indicated that the 1984 FIRMs (in Shandaken's case) must still be used for regulatory purposes and permitted, despite their inaccuracies. Banks, for example, must still abide by this, despite the availability of more accurate, forthcoming data/mapping.

Glen H stated that in some neighborhoods in the Town of Hurley, residents joined together to hire a surveyor, as a group, to produce EC's for each, thus greatly reducing cost per EC.

### **Town of Woodstock Update:**

Mike R and Ellen C reported that three NY Rising projects are currently moving ahead. They are all being designed by Milone & McBroom. A recent meeting regarding the Route 212 (Main Street) in the hamlet of Woodstock drainage project was re-scheduled. Box culverts are slated for installation up in Silver Hollow (Lane Rd) and at Reynolds Lane. Additionally, the John Joy

Road elevation project along the Sawkill Creek is also moving ahead as planned. Mike is cautiously optimistic that implementation will happen in 2016 for all of these projects.

### **Town of Hurley Update:**

Glen H indicated he has nothing to report related to the upper Esopus watershed. He heard about the town's 90-day appeal window a while ago, but has not heard anything since to report - as the 90 days have now passed.

### **Town of Lexington Update:**

Adam C reported that the six FEMA-funded, post Irene buyouts are essentially complete, and demolished. The County will take over five of the properties, however the Town of Lexington will retain one and create a waterfront park on CR 13A. This will be done with Smart Growth grant funding, which is already in place.

Adam reported, with respect to the new FIRM mapping, that some newly mapped areas in the town are up in Broadstreet Hollow and Spruceton. He did not notice any huge mapping errors. Additionally, Adam mentioned that in Prattsville some of the LFA recommendations included realigning the state road, replacing the bridge, and buying out / relocating several of the properties in the vicinity to better accommodate Schoharie Creek floodwaters. The NYSDOT will be replacing the bridge with a longer span; however the rest of the process/project has become very political and is currently on hold.

Adam updated the committee on the status of NY Rising efforts in the Town. His community's experience has been very similar to that of Shandaken, Olive, and Woodstock – same instances of getting conflicting information on procedures, delays, etc. Private home improvements have been done not according to code, or were approved inconsistently or maybe without substantiation. Two of the examples he gave were the new baseball field in Prattsville, which was rebuilt, but not to floodplain development code/standards. In another case, a new house was built with \$180K of NY Rising funding in Broadstreet Hollow, instead of repairing the damage from what appeared to have been runoff from the mountain undermining a portion of the structure.

### **Ulster County Multi-Jurisdictional Hazard Mitigation Plan Update**

Aaron B was happy to report that not only is this effort wrapping up, but that all of the communities in the NYC Watershed portion of the County (Olive, Denning, Hardenburgh, Woodstock, Hurley, Shandaken, and Wawarsing) are participating in the Plan. In 2009, only Shandaken participated. The County-hired consultant, AECOM-URS, is reviewing the information provided by each town, and the County itself, now. Aaron indicated that the County is shooting for a March 2016 approval by State/FEMA. Then each community must formally adopt their portion.

Aaron indicated that several of the town-selected “mitigation actions” for their municipality were taken from LFAs, town flood plans, and Stream Management Plans. Of the 104 “mitigation actions” to be included by the NYC Watershed towns (not counting Town of Wawarsing), 70 mitigation actions are located within the NYC Watershed portion of Ulster County. By listing these actions, towns will be able to apply from FEMA Hazard Mitigation Assistance funding for implementation. Aaron thanked all of the town and highway supervisors for their ability to dedicate their time for this effort.

### **CWC’s Flood Hazard Mitigation Implementation Program (FHMIP) Update**

Tim C introduced John Mathiesen who has been hired to replace Nate Hendricks. Nate has moved on to work for the NYCDEP Stream Management Program.

Tim reported that CWC staff has been regularly attending many of the recent LFA meetings in communities throughout the NYC Watershed since they will ultimately be funding some of the implementation work.

Tim indicated that one of the new rule changes to the FHMIP is that up to \$10K is available for the relocation of a structure to another location on the same parcel of land further upslope. The floodplain land would then need to be sold to NYCDEP.

The next application round for towns with completed LFAs to apply for FHMIP funding in December 1, 2015.

### **Buyout Program Implications for Local Assessment Discussion**

#### **- City-Funded, Voluntary Flood Buyout Program; Post-Irene Buyouts**

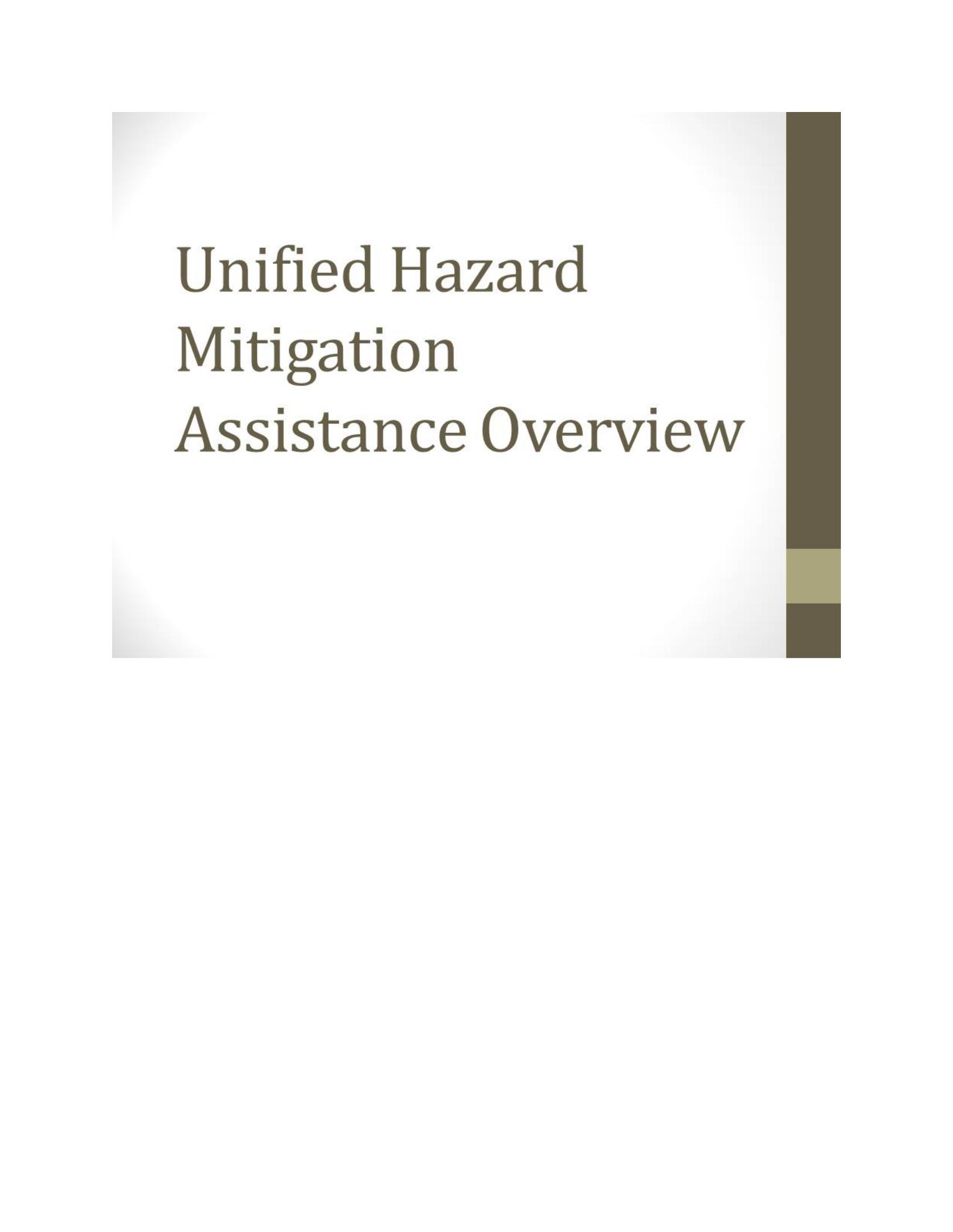
This working group, at previous meetings, had discussed what the tax assessment implications of another flood buyout program could be to local municipalities. Aaron B indicated that a voluntary City-funded flood buyout program (FBO) is on the horizon, and that the loss of tax base is an issue that local towns must be willing to grapple with, and ultimately must decide what properties they will allow to be bought out. Towns will have ability to opt into the FBO program, as well as pass resolutions for each buyout individual property.

Tim C took the time to explain the evolution of the forthcoming City-funded FBO. Tim explained that this program was asked for by the local municipalities and the Coalition of Watershed Towns after TS Irene. It has been designed as a “between the storms” FBO that will give the NYCDEP ability to purchase properties that have habitable structures on them, as well as are located within designated hamlet areas (which will likely be most of the eligible City-funded FBO properties). Currently, NYCDEP cannot purchase such properties, however a forthcoming change in the Water Supply Permit (granted by the NYSDEC) will eliminate this for flood-prone properties.

The NYCDEP is willing to take title to these properties if municipality and counties do not want them, however this will negatively affect the tax base (FBO properties will not have taxable structures anymore, however City will pay tax on vacant land).

### **Unified Hazard Mitigation Assistance Presentation**

Aaron clicked through a slide presentation the Brent Gotsch (who was unavailable to attend the meeting) had put together after attending a four-day course titled “Unified Hazard Mitigation Assistance Program: Developing Quality Application Elements” at the Emergency Management Institute in Maryland.



# Unified Hazard Mitigation Assistance Overview

# Hazard Mitigation Assistance Program (HMA)

- Suite of FEMA grant programs designed to provide funding to protect life and property from future natural disasters.
- Hazard mitigation is any action taken to reduce or eliminate long term risk to people and property from natural hazards.
- Divided into three major areas:
  - Hazard Mitigation Grant Program (HMGP)
  - Pre-Disaster Mitigation (PDM)
  - Flood Mitigation Assistance (FMA)

# Hazard Mitigation Grant Program (HMGP)

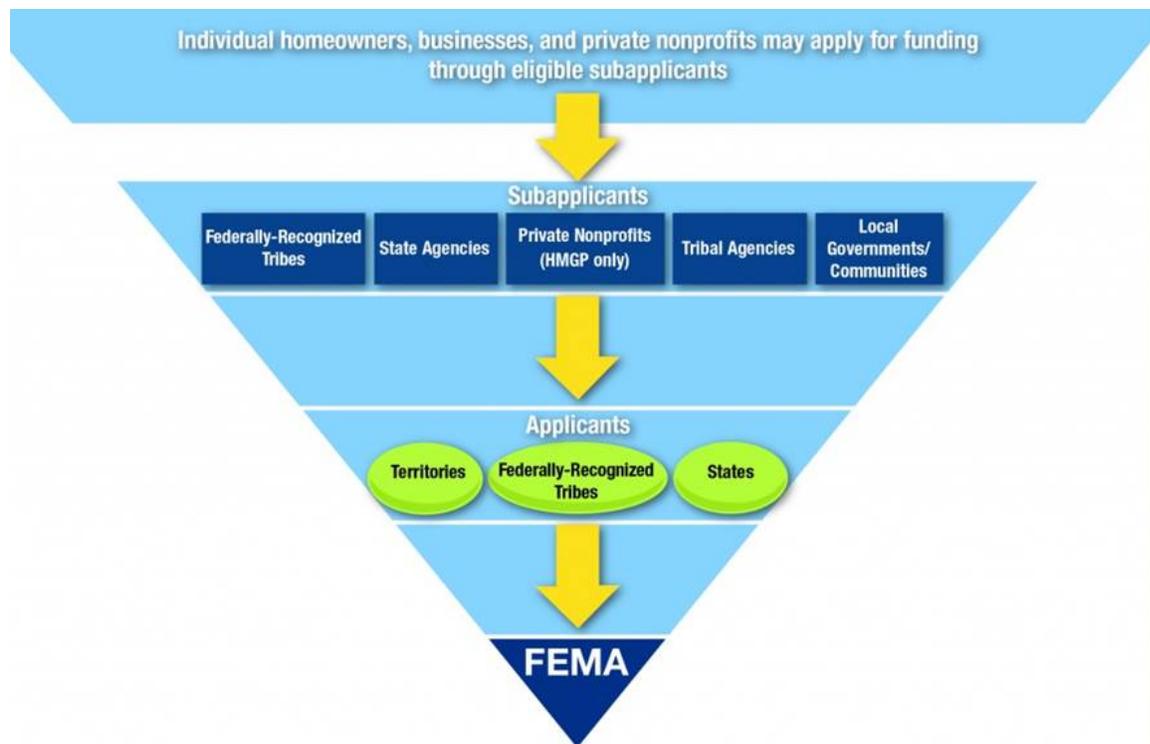
- Purpose of HMGP is to help communities implement hazard mitigation measures following a Presidential major disaster declaration.
- Eligible applicants include:
  - States
  - Territories
  - Federally-recognized tribes
  - Local communities
  - Private non-profit organizations
- FEMA awards HMGP funds to applicant (usually State) who then disburse funds to subapplicant (usually Local Government).

# Pre-Disaster Mitigation Grant Program (PDM)

- PDM is designed to assist states, territories, Federally-recognized tribes, and local communities in implementing a sustained pre-disaster natural hazard mitigation program.
- The goal is to reduce overall risk to population and structures from future hazards and decrease reliance on federal funding.
- Awards planning and project grants.
- Eligible applicants and subapplicants same as HMGP.
- Competitive grant process.
- FEMA awards applicants (State) who then disperse funds to subapplicant (Local Government).

# Flood Mitigation Assistance Grant Program (FMA)

- Provides funding to states, federally recognized tribes and communities for measures that reduce or eliminate the long-term risk of flood damage to structures insured under NFIP.
- Eligible applicants and subapplicants are same as HMGP and PDM programs.
- FEMA awards applicants (State) who then disperse funds to subapplicant (Local Government).



### HMGP/PDM/FMA Application Process

The above diagram illustrates the application process for FEMA's Unified Hazard Mitigation Assistance Program

Entity	HMGP	PDM	FMA
State agencies	✓	✓	✓
Federally-recognized tribes	✓	✓	✓
Local Governments and communities	✓	✓	✓
Private nonprofit organizations	✓		

### **Eligible Subapplicants**

The above diagram shows the eligible subapplicants for the various UHMA program

Programs	Mitigation Activity (Percent of Federal/Non- Federal Share)	Recipient Management Costs (Percent of Federal/Non- Federal Share)	Subrecipient Management Costs (Percent of Federal/Non- Federal Share)
HMGP	75/25	100/0	-/-
PDM	75/25	75/25	75/25
PDM—subrecipient is small and impoverished community [SIC]	90/10	75/25	90/10
PDM—Tribal recipient/subrecipient is SIC	90/10	90/10	90/10
FMA—insured properties and planning grants	75/25	75/25	75/25
FMA—repetitive loss property	90/10	90/10	90/10
FMA—severe repetitive loss property	100/0	100/0	100/0

### Cost-Share Requirements

The above diagram shows the cost-share requirements of the various UHMA programs

Eligible Activities	HMGP	PDM	FMA
<b>1. Mitigation Projects</b>	✓	✓	✓
Property Acquisition and Structure Demolition	✓	✓	✓
Property Acquisition and Structure Relocation	✓	✓	✓
Structure Elevation	✓	✓	✓
Mitigation Reconstruction	✓	✓	✓
Dry Floodproofing of Historic Residential Structures	✓	✓	✓
Dry Floodproofing of Non-residential Structures	✓	✓	✓
Generators	✓	✓	
Localized Flood Risk Reduction Projects	✓	✓	✓
Non-localized Flood Risk Reduction Projects	✓	✓	
Structural Retrofitting of Existing Building	✓	✓	✓
Non-structural Retrofitting of Existing Building and Facilities	✓	✓	✓
Safe Room Construction	✓	✓	
Wind Retrofit for One- and Two-Family Residences	✓	✓	
Infrastructure Retrofit	✓	✓	✓
Soil Stabilization	✓	✓	✓
Wildfire Management	✓	✓	
Post-Disaster Code Enforcement	✓		
Advance Assistance	✓		
5 Percent Initiative Project	✓		
Miscellaneous/Other	✓	✓	✓
<b>2. Hazard Mitigation Planning</b>	✓	✓	✓
Planning Related Activities	✓		
<b>3. Technical Assistance</b>			✓
<b>4. Management Cost</b>	✓	✓	✓

## Eligible Activities by Program

# Things I Learned at EMI

- Applications are VERY competitive
  - Competing against others from all over the country
- BCA must be at least 1!
  - Better if it's over 1
  - Many other projects you are competing against will be well over 1
- When creating your application have a realistic timeline
  - FEMA reviewers would rather see a longer timeline that is realistic than one that is ambitious but not realistic
- Everything must be documented
  - Have a receipt/justification for everything that you do
  - Have estimates for things you plan on doing
- Start early and have patience
  - Applications will take a long time to complete and an even longer time for FEMA to review

# Things I Learned at EMI

- Get to know your SHMO (State Hazard Mitigation Officer). He or she can be your best friend (or worst nightmare).

## New York State SHMO

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A few questions and thoughts came up after the presentation, including:

- Do Hazard Mitigation Grant Program applications compete with others throughout New York only or does an application compete nationwide? Aaron B offered to follow-up with Rick Lord, State Hazard Mitigation Officer for NY.
- Can similar-type actions be lumped into one application since the application process is very involved? Phil E suggested that it is likely all about the “wording” of the application and encouraged everyone to think about “phasing”, similar to what Shandaken has done with its largest NY Rising project in Phoenicia – it was broken out into four phases.
- Eric H stated that he has heard that it is best to over-estimate the timeline so that no grant extensions would be needed, which are complicated.
- There was a discussion on trying to get Rick Lord to come to the Ashokan Watershed to learn more about the program, the LFAs underway, and to further understand the Hazard Mitigation Grant Program process.

The meeting was adjourned with no future meeting date being set.