

**Grantee: New York**

**Grant: B-12-DT-36-0001**

**January 1, 2015 thru March 31, 2015 Performance Report**

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**Grant Number:**

B-12-DT-36-0001

**Obligation Date:****Award Date:****Grantee Name:**

New York

**Contract End Date:****Review by HUD:**

Submitted - Await for Review

**Grant Award Amount:**

\$71,654,116.00

**Grant Status:**

Active

**QPR Contact:**

No QPR Contact Found

**LOCCS Authorized Amount:**

\$71,654,116.00

**Estimated PI/RL Funds:****Total Budget:**

\$71,654,116.00

## Disasters:

### Declaration Number

FEMA-4031-NY

FEMA-4020-NY

## Narratives

### Disaster Damage:

Hurricane Irene and Tropical Storm Lee caused major flooding and storm damage primarily in the eastern 38 Counties in New York State between August 29, 2011 and September 8, 2011. According to data provided by FEMA, as of April 9, 2012, it is estimated that total damage statewide is in excess of \$823 million. On September 16, 2011, OCR contacted all Recipients with active CDBG programs who had expended 75 percent or less of individual grant awards to provide the opportunity to reprogram or redirect available CDBG funds to address an urgent need or imminent threat caused by the storms.

OCR has committed \$7,605,182 in CDBG Imminent Threat Funds for recovery efforts. This includes \$1,303,487 for economic development activities that will assist Main Street businesses that suffered economic losses and damage as a direct result of the storms. OCR has also made available \$2,037,501 in New York Main Street funds that will assist 321 storm impacted businesses with bricks and mortar recovery efforts.

In November, 2011, in coordination with the Governor's Office and NYS Department of Agriculture and Markets (Ag & Markets), the Agricultural and Community Recovery Fund (ACRF) was announced. To date, this has provided \$1,959,738 in NYS CDBG Imminent Threat funds to assist 158 storm-impacted farms in 20 different Counties. Assistance included replacement costs for feed, seed, and produce loss as a result of the initial impact, and for feed costs for the winter months.

OCR has provided \$4 million in assistance for the Capital on Farm Program, which in conjunction with Ag & Markets to assist eligible farmers with replacement costs for items such as: Bulk tanks and storage bins, Hoop houses, high tunnels, Equipment and fixtures, Structural supports for orchards and vineyards, Root stock for orchards and vineyards, Certain farm product inventory including but not limited to lost or destroyed seed, fertilizer, pesticides, etc.

Applications were due in April, 2012 and it is anticipated that funds may be made available in June, 2012. The Weatherization Assistance Program (WAP) will make up to \$4.6 million in Home Energy Assistance Program (HEAP) funds, which will be targeted to eligible households in need of housing assistance in the 38 impacted Counties.

In order to ensure that the most severe unmet financial needs are addressed with CDBG-DR funds, OCR has been coordinating its long-term recovery efforts with other State and Federal Agencies including, but not limited to, FEMA, OEM, DEC, EFC, NRCS, and US Department of Agriculture (USDA), and SBA.

Examples of these coordination efforts include the Hurricane Emergency Loan Program (HELP) through EFC, which is providing short-term loans of up to \$1 million to EFC eligible projects. Total estimated need is \$45,493,070, with the anticipated unmet need of \$26,431,280.

### Recovery Needs:

On April 18, 2012, New York announced that the State will fully cover the non-federal share of disaster response and recovery costs resulting from Hurricane Irene and Tropical Storm Lee. The State has determined that the most effective use of the CDBG-DR funds will be to allocate up to the entire CDBG-DR allocation of \$71,654,116, within the hardest hit Counties of Broome, Delaware, Greene, Schoharie, and Tioga. The basis for this determination is consistent with the Notice which requires the State to expend the funds in areas of greatest impact and severest needs.



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Broome \$14,805,900 (Excluding Town of Union

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Delaware \$ 7,651,424

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Greene \$ 8,896,676

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Schoharie \$25,644,324

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Tioga \$14,364,650

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The proposed distribution is based in part on FEMA estimates as of April 9, 2012, with total projected costs for the identified Counties of \$302,551,886 with total estimated non-federal match requirement of \$75,637,972. The exact allocation within each County will be dependent upon the total number of eligible activities identified within each County and the total amount of funding approved for those eligible activities.

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The State may provide up to the 25 percent required non-federal match for FEMA available to the Counties that do not receive CDBG-DR funds.

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Damage to public infrastructure includes, but is not limited to, damage to wastewater treatment facilities and collection systems, drinking water treatment plants and distribution systems, water storage tanks, storm water collection systems and bridges, roads, and other transportation networks that have been severely compromised or destroyed. The Office of Community Renewal, in conjunction with local municipalities through the respective County governments, identified existing infrastructure needs through a needs-assessment survey, as the repair or replacement of any of the following, only if directly damaged by the storms. The estimated total impact on all identified public infrastructure and facilities is estimated in excess of \$487,000,000. The estimated unmet need for all identified public infrastructure and facilities is estimated in excess of \$121,836,795.

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The impact to housing in the affected areas includes single and multi-family, and both owner occupied and rental units. Within the 38 Counties impacted by Hurricane Irene and Tropical Storm Lee, the FEMA has received 31,445 applications for housing assistance as of April 30, 2012. The Office of Community Renewal, in conjunction with local municipalities through the respective County governments, identified existing housing needs through a needs assessment survey, as the repair or replacement of any of the following, only if directly damaged by the storms. The estimated total impact on housing, including all single-unit and multi-unit housing is \$155,935,084. The estimated unmet need for single unit and multi-unit housing is \$13,051,751. The estimated unmet housing needs presumes that insurance and other State and Federal assistance has been taken into consideration.

#### **Public Comment:**

Comments Received:

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Comment: Several commenters indicated that they would like to see New York State allocate a small percentage of the overall allocation to local administration.

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Response: NYS recognizes that under the State administered CDBG program, there is an allowance for program administration and delivery costs, and that this allowance would be beneficial given the scope of assistance being provided under the CDBG-DR allocation. However, based on the needs assessments received from impacted communities as well as an estimate of the Federal Emergency Management Agency (FEMA) projects that have been submitted for reimbursement in the affected counties, New York State determined that the State's allocation would be best utilized by providing direct project cost assistance up to the full allocation amount provided to the State. In addition, it should be noted that the State will not be reserving any administrative funds for its own administrative needs, which is an allowance under the CDBG-DR allocation, and will re-direct these funds to direct project cost assistance as well. Together, these measures will ensure that the greatest amount of funds will be provided to the maximum number of projects in the Counties most in need of assistance.

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Comment: Two commenters indicated that they wished to extend the public comment period for an additional 7 day period.

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Response: Although the 7-day comment period allowed for the CDBG-DR Action Plan was shorter than normally allowed under the standard CDBG regulations, HUD issued a waiver for the CDBG DR funds to allow for this shorter comment period in order to

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expedite the distribution of funds. In a two-step process, New York State Homes and Community Renewal first publically announced the forthcoming availability of the Action Plan, via a Public Comment Notice and then posted the Draft Action Plan for public comment via its website, [www.nyshcr.org](http://www.nyshcr.org), for the full 7-day period from June 20-26. For both steps in the process HCR broadly distributed notice via email to interested parties in accordance with the notification processes and procedures used for NY State's Consolidated Plan and Annual Action plans for CDBG funding. At this time, New York State will continue to entertain comments on its Action Plan, but since the official comment period has ended, New York will submit its Action Plan to HUD as planned in order to ensure a prompt review and approval of the plan. The Office of Community Renewal (OCR) will respond directly to any entities submitting comments after the comment period and will determine if the comments should result in a substantial change to the CDBG-DR Action Plan. Per the HUD guidelines, the CDBG-DR Action Plan is a document that could be changed as the recovery efforts move forward and additional needs are uncovered or as the unmet needs identified in the Action Plan are met by other resources.



Comment: Commenters indicated that the State's plan is too limited in scope. Specifically, they felt that the full allocation should not be provided to address infrastructure and facility needs.

Response: New York State, through a review of needs assessments submitted by Counties in the affected areas and an analysis of the FEMA estimates of projects seeking reimbursement, determined that the best use of the CDBG-DR funds was to provide assistance in the form of the twenty-five percent (25%) non-federal match required for all FEMA-approved projects. The majority of these projects are FEMA Public Assistance (PA) projects, or infrastructure projects. The combined total of FEMA estimates for these projects among the hardest hit counties of Broome, Delaware, Greene, Schoharie and Tioga exceeded the CDBG-DR allocation to NYS, further reinforcing the decision to use these funds in this way. The determination to use the funds in this way was made in part by the fact that the cost of the non-federal match for FEMA projects would have placed an undue hardship on cash-strapped municipalities in the hardest hit areas, who in turn would pass these costs on to their residents, who themselves are continuing to recovery and rebuild from the storms. The State has not overlooked need beyond infrastructure and since the storms; NYS has made millions of dollars available to farmers, business owners, municipalities and others to assist in their recovery and rebuilding efforts through programs that are still awarding funds across the State. In addition, for its upcoming 2012 application round for CDBG, HOME, RESTORE, AHC AHODP and Access to Home, where more than \$40 million is being made available, HCR's Office of Community Renewal (OCR) will be giving preference to applications for housing assistance in those areas impacted by the storms. This will be yet another form of assistance helping to address the unmet housing needs in the affected counties.

Overall	This Report Period	To Date
<b>Total Projected Budget from All Sources</b>	N/A	\$19,107,902.49
<b>Total Budget</b>	\$0.00	\$19,107,902.49
<b>Total Obligated</b>	\$0.00	\$4,001,385.03
<b>Total Funds Drawdown</b>	\$0.00	\$4,001,385.03
<b>Program Funds Drawdown</b>	\$0.00	\$4,001,385.03
<b>Program Income Drawdown</b>	\$0.00	\$0.00
<b>Program Income Received</b>	\$0.00	\$0.00
<b>Total Funds Expended</b>	\$0.00	\$901,246.67
<b>Match Contributed</b>	\$0.00	\$0.00

## Progress Toward Required Numeric Targets

Requirement	Required	To Date
<b>Overall Benefit Percentage (Projected)</b>		43.20%
<b>Overall Benefit Percentage (Actual)</b>		48.43%
<b>Minimum Non-Federal Match</b>	\$0.00	\$0.00
<b>Limit on Public Services</b>	\$10,748,117.40	\$0.00
<b>Limit on Admin/Planning</b>	\$14,330,823.20	\$0.00
<b>Limit on State Admin</b>	\$3,582,705.80	\$0.00

## Progress Toward Activity Type Targets

Activity Type	Target	Actual
<b>Public services</b>	\$10,748,117.40	\$0.00

## Progress Toward National Objective Targets

National Objective	Target	Actual
<b>Low/Mod</b>	\$35,827,058.00	\$8,255,493.62



## Overall Progress Narrative:

There was no additional payment activity associated with the Irene and Lee program during the quarter. Document collection activities continued in Irene and Lee counties however with 122 applicants being visited in 13 counties. 1339 documents were obtained in these visits so that the eligibility review team could finalize match recommendations of pw&rsquos for Irene and Lee applicants.

Document collection for Irene and Lee is now focused on Long Island and impacted counties in the NYC metro area and document collection efforts in the north country, Upstate and Hudson River Valley have been completed. With HUD required information now in the GOSR data warehouse, large project reviews for the Irene and Lee disaster by the GOSR eligibility review team are expected to be completed by the end January with match recommendations made and reimbursements requested. The total value of Irene and Lee Large projects that are under review has a potential match payments that exceed \$50m in total.

## Project Summary

Project #, Project Title	This Report Period	To Date	
	Program Funds Drawdown	Project Funds Budgeted	Program Funds Drawdown
1042DR4-12, Schoharie County	\$0.00	\$25,644,324.00	\$1,702,421.90
1142DR5-12, Tioga County	\$0.00	\$14,364,650.00	\$356,014.24
135DR1-12, Broome County	\$0.00	\$14,805,900.00	\$306,841.71
317DR2-12, Delaware County	\$0.00	\$7,651,424.00	\$280,650.57
477DR3-12, Greene County	\$0.00	\$8,896,676.00	\$1,355,456.61
9999, Restricted Balance	\$0.00	\$0.00	\$0.00



