

Exhibit C Capacity  
New York State  
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### Introduction

New York State is proposing a regional approach to resilience that addresses the threats and hazards faced by riverine and coastal communities and responds to the intertwined physical, social, economic, and environment resilience needs of the communities. The approach is regional and cross-cutting because systems, such as watersheds, transcend municipal boundaries and policy silos. The Governor’s Office of Storm Recovery (GOSR) is particularly well-positioned to lead this effort as it is currently leading and coordinating the State’s recovery and rebuilding efforts. GOSR’s work combines a local delivery focus with regional scale, addressing cross-sectional resilience issues. As the Agency’s recovery and rebuilding work advances, it is increasingly apparent that a regional, cross-sectional focus must be embraced to truly address the State’s unmet recovery needs. This regional approach demands in-depth and meaningful engagement from stakeholders all over the State. GOSR’s capacity to engage state agencies, public and private partners, and community stakeholders has been clearly demonstrated in the Agency’s past and current work and the Agency intends to similarly engage diverse partners in this effort.

### General Management Capacity

GOSR is spearheading the development of this Phase 1 NDRC application and is well-positioned and well-staffed to manage any additional disaster recovery funding received from HUD. In June 2013, Governor Andrew M. Cuomo established GOSR to maximize the coordination of federally funded recovery and resilience efforts in storm-affected areas throughout New York State. GOSR manages the State’s \$4.4 billion allocation of Community Disaster Block Grant – Disaster Recovery (CDBG-DR) funding authorized by the Disaster Relief Appropriations Act, 2013 (Public Law 113-2, approved January 29, 2013), administering a

variety of programs relating to housing recovery, economic development, infrastructure, and community reconstruction in disaster-impacted areas. Formed under the auspices of the New York State Housing Trust Fund Corporation, a public benefit corporation and subsidiary agency of New York State Homes and Community Renewal, GOSR has demonstrated proficiency in disbursing CDBG-DR dollars in a timely, compliant manner.

GOSR has gleaned valuable experience from the development and administration of recovery programs and is fully prepared to implement additional resiliency programs and projects. GOSR possesses the requisite financial management, project management, and leadership capacity to successfully develop the NDRC application and to shepherd the implementation of subsequent projects. The Agency consists of more than 120 full-time staff, manages an array of contractors, operates financial and procurement systems that are compliant with all State and federal requirements, and has put in place fully functioning quality assurance, quality control, and internal control systems. Additionally, according to the requirements of the Disaster Relief Appropriations Act, 2013 (Public Law 113-2), the State has submitted and continues to update as needed the Certification of Proficient Controls, Processes, and Procedures to HUD, which certify to the Agency's ability to properly manage federal funds.

GOSR has established several models for expeditious project implementation—from utilizing directly-procured vendors to entering into subrecipient agreements with eligible agency, municipal, and non-profit partners. In the NDRC and in the State's ongoing recovery efforts, GOSR is prepared to leverage its institutional knowledge and spearhead implementation of additional recovery and resilience projects, developing innovative financing strategies that streamline recovery at the local level and maximize available CDBG-DR funds. GOSR has experience in utilizing its own staff and contractors to design and plan ambitious regional-level

projects and is not directly dependent on partners for those services. GOSR’s staff has extensive experience in developing programs to meet and exceed various diversity requirements (M/WBE, EEO, Section 3, etc.), as well as in working with quantitative data to analyze racial and economic disparities.

Moreover, since its establishment, GOSR has been working collaboratively with community stakeholders in storm-impacted communities to understand damage, respond to unmet needs, and anticipate future threats. Tailored and robust stakeholder engagement is the foundation upon which each of the State’s recovery programs is built. For example, the NY Rising Small Business Recovery Program utilizes the previously mentioned Small Business Development Center network; the NY Rising Housing Recovery Program utilizes the Long Island Housing Partners; the NY Rising Infrastructure Program, which includes the implementation of two Rebuild by Design projects, utilizes the unique, multi-sector partnerships established in the Rebuild by Design planning process; and the NY Rising Community Reconstruction (NYRCR) Program establishes an ambitious, scalable, and replicable model for citizen empowerment in the recovery and resiliency planning process.

This application has been prepared by GOSR staff, after extensive collaboration with state agencies, county governments, and other stakeholders.

*Cross-Disciplinary Technical Capacity*

In the continued administration of the State’s recovery programs, GOSR has engaged a variety of expert partners—many of whom were integral to the development of this Phase 1 application—and can be called upon to successfully develop and implement innovative resilience solutions in Phase 2 and beyond. As discussed further in Exhibit E (pages 56-61) and Attachment D (pages 96-111), for the express purpose of preparing this Phase 1 application,

GOSR rolled out a targeted strategy to engage the following stakeholder groups within the State: select state agencies (through a newly established NDRC Interagency Working Group); NDRC Most Impacted and Distressed counties; NDRC Declared counties; Tribal Areas within HUD NDRC Most Impacted and Distressed and Declared counties; potential non-governmental organization partners; and the general public. The NDRC Interagency Working Group brings substantial capacity and technical expertise to bear. Areas of expertise include planning and coastal planning; Brownfield redevelopment; economic revitalization (Department of State (DOS)); environmental science and planning (Department of Environmental Conservation (DEC)); utilities (New York Power Authority (NYPA), New York State Energy Research and Development Authority (NYSERDA), Environmental Facilities Corporation (EFC)); economic development and capital projects management (Empire State Development Corporation (ESDC)); emergency management and hazard mitigation (Division of Homeland Security and Emergency Services (DHSES)); and transportation (Department of Transportation (DOT), Metropolitan Transportation Authority (MTA), Port Authority of New York and New Jersey (PANYNJ)). Like GOSR, many of these agencies have experience in data analysis; community engagement; design and engineering; and delivering large, complex projects across multiple jurisdictions.

In addition to extensively collaborating with state agencies in this Phase 1 application, GOSR has extensive experience working with state agency partners in its day-to-day recovery and rebuilding work. For example, GOSR partners with DHSES to deliver resilient recovery projects through the Federal Emergency Management Agency Public Assistance (PA) program and Hazard Mitigation Grant Program (HMGP). All funds through these programs in the State are disbursed through DHSES. In many cases, GOSR partners with DHSES to provide local

match funding using CDBG-DR funds both for projects implemented by state agencies and for projects implemented by local governments and non-profit organizations. Examples of such projects include the Bay Park Sewage Treatment Plant in Nassau County—one of the largest PA project in FEMA’s history—and the HMGP funded DOT effort to improve the resiliency of 105 bridges around New York State.

Both GOSR and its parent agency, New York State Homes and Community Renewal (HCR), have extensive experience working with civil rights and fair housing issues including data analysis and HUD reporting to address racial or economic disparities. Should the State advance to Phase 2 of the NDRC, GOSR may develop formal partnerships with non-governmental organizations to advance recovery and resiliency partnerships, and to address issues of equity and environmental and social justice, especially as it relates to vulnerable populations. Exhibit E (pages 56-61) and Attachment D (pages 96-111) have additional information on stakeholder consultation.

GOSR and its partner agencies have extensive experience in area-wide and comprehensive planning, which has informed the systems-based approach to resilient recovery outlined in this application. GOSR’s NYRCR Program included a planning phase that entailed the development of 66 community resiliency plans through an innovative participatory process. That effort was accomplished through the extensive contributions of the DOS’s Office of Planning and Development, which has experience in the fields of coastal and riverine planning and has worked to develop models for planning which incorporate rigorous, science-based predictions of the effects of climate change such as sea-level rise. In addition to DOS’s work, under New York State’s Community Risk and Resiliency Act (CRRA), DEC is developing richer estimates of sea-level rise, improving the State’s ability to assess and address possible future

conditions and risks and reducing uncertainty around “known unknowns.” As noted in Exhibit D (pages 48-49), the New York State Resiliency Institute for Storms and Emergencies (RISE) is also working with GOSR throughout the Agency’s rebuilding and recovery efforts to provide data-driven predictive models and data for the Agency.

GOSR and its partner agencies are extremely experienced in innovating and implementing cutting-edge resilience design. For instance, the State’s two Rebuild by Design projects are prime examples of innovative resilience design thinking incorporating the needs of riverine and coastal communities living with water. In the projects’ development stages, GOSR worked closely with and advised both design teams and GOSR is leading the implementation of both of these innovative projects.

GOSR is also experienced in performing cost- and price-analyses to determine the cost-reasonableness and cost-benefit ratio of projects and actions in compliance with federal regulations. Many NDRC Interagency Working Group members are also familiar with different forms of cost-benefit analysis, including the FEMA and Federal Department of Transportation Benefit Cost Analyses (DHSES, DOT, MTA, PANYNJ).

The state agency partnerships discussed in detail here augment the capacity already evident in GOSR actions to introduce resiliency measures at a local, regional, and State level.

#### *Community Engagement Capacity*

In addition to maintaining and cultivating productive relationships with state agencies, GOSR has significant capacity and experience in community engagement. The Agency has placed particular emphasis on engaging State residents in its recovery and rebuilding efforts, with a strong focus on those most impacted by past disasters and those most vulnerable to future threats. The New York State Citizen Participation Plan (CPP) sets the framework for public

engagement in the planning, implementation, and assessment of the State’s CDBG-DR recovery program. The State’s CPP seeks to engage low- and moderate-income individuals, individuals with limited English proficiency, and the elderly. Moreover, in addition to the community stakeholder engagement that informs all of the agency’s efforts, two of GOSR’s programs were specifically designed to directly engage community members in storm impacted localities in their recovery, rebuilding, and resilience: the NYRCR Program and the Rebuild by Design Program. These efforts offer replicable and scalable engagement and consultation models; they have already created extensive stakeholder networks that can leveraged in the development and implementation of NDRC projects when the time comes.

The NYRCR Program encompasses 124 communities across the State with more than 600 New Yorkers representing their communities by serving on Planning Committees. There were over 600 Planning Committee meetings held throughout the program, and an additional 250 public engagement meetings that attracted thousands of community members. Planning Committees members also conducted outreach to populations traditionally under-represented in community planning processes, from immigrant populations to high school students. Planning Committee members made presentations at senior housing complexes, religious gatherings, schools, and at chambers of commerce. As projects in the communities begin to be developed, this high level of public outreach will continue, at both at the Planning Committee level and at the broader public level.

A broad-based public engagement process was also integral in developing the State’s two Rebuild by Design projects: *Living with the Bay* in Nassau County and *Living Breakwaters* in Staten Island. As outlined in Action Plan Amendment 8, the State plans to continue this level of engagement as the projects move into development.

GOSR's state agency partners bolster GOSR's capacity to engage stakeholders by bringing additional subject matter expertise, regional perspectives, and connections to on-the-ground organizations.

In accordance with the requirements of the NDRC NOFA, GOSR held a 15-day public comment period, including the hosting of one public hearing which took place on March 16, 2015. In accordance with the NOFA, GOSR published parts of this application on GOSR's website with an associated online comment/feedback form to allow for prompt responses. In addition, GOSR provided hard copies free of charge to anyone requesting one via email, phone, and/or TTY. In publicizing the comment period and associated hearing, GOSR utilized both formal and informal networks (e.g. legal notices in various media, and via email) to notify stakeholders about the opportunity to comment. GOSR has addressed and incorporated, as appropriate, all relevant feedback into the State's final Phase 1 application submission.

Should the State be invited to continue to Phase 2, GOSR's approach to stakeholder involvement in its Phase 2 application will be consistent with the inclusive and extensive approach taken throughout the recovery and rebuilding process to date and through the Phase 1 application process. Stakeholder feedback is not only solicited at key points in GOSR's process (e.g. during a public comment period for the State's Action Plan), but also given informally, on a day-to-day basis (e.g. homeowners contacting the Housing Program and the Housing Program responding or conducting a survey of homeowners), as well as through programs designed with public participation at their forefront (i.e. the NYRCR Program and Rebuild by Design). The State will provide opportunities for the public to be directly engaged in its Phase 2 application including online and in-person public comment opportunities. The State is considering holding public information sessions on its Phase 2 application prior to the public comment period. The

objective of these meetings would be to solicit additional feedback from communities in shaping the State’s application and ensuring that it is responsive to the needs of populations recovering from past disasters and vulnerable to future threats, including those resulting from climate change. These events will also be a continuation of the State’s ongoing efforts to identify and quantify remaining unmet needs associated with the qualified disasters.

Should the State’s NDRC projects move into implementation, in-depth public participation will be similarly sought. This approach is consistent with GOSR’s plans for public engagement in its existing programs. For example, the State’s Action Plan Eight (APA8) outlined a robust CPP for the implementation of its two Rebuild by Design projects, including the establishment of a Citizens Advisory Council, additional public meetings, and online components. GOSR is also developing a replicable and scalable menu of options to continue its in-depth model of community involvement into the NYRCR project implementation process; GOSR will look to this menu as any proposed NDRC projects move into implementation.

Through its NYRCR Program, GOSR has extensive experience working with and empowering formal and informal community leaders in the planning and execution of resilient recovery and rebuilding projects; including those from vulnerable populations. Members of the NYRCR Program’s Planning Committees were identified by GOSR staff and other stakeholders and included leaders in civic associations, business groups, non-profits, and members of vulnerable populations. Committee members were iteratively chosen with an eye toward creating Committees representative of the community as a whole, and issues of geography, diversity, and the necessity to ensure the participation of historically disengaged groups. Throughout the planning process, NYRCR Program staff worked with each Planning Committee member on a continual basis. Planning Committees in each community were responsible for developing the

community’s NYRCR Plan, which details recovery and resilience projects geared towards the community’s needs. The Planning Committees also exemplify the State’s ability to harmonize the contributions of diverse stakeholders in the consultation process.

*Regional or Multi-Governmental Capacity*

In the NDRC and in its ongoing recovery and rebuilding work, the State plans to address threats and hazards faced by riverine and coastal communities at a regional, multi-layered level. For example, as highlighted in APA8, some of the State’s wastewater-treatment infrastructure is unprepared to handle severe storms. This inability results in negative impacts in the municipality in which the infrastructure is located. It also causes environmental degradation in the waterways of nearby municipalities: during severe weather events, nitrogen from wastewater treatment plants runs into, and pollutes, State waterways. This environmental degradation can lead to a loss of natural resiliency, which further threatens communities. The State’s Department of Environmental Conservation compellingly demonstrates this in “Nitrogen Pollution and Adverse Impacts on Resilient Tidal Marshlands”:

Excessive eutrophication due to nitrogen loadings cause marsh grass along tidal creeks and bay coasts to initially become greener and grow taller in a manner similar to the effects of fertilizing a lawn. The tall marsh grasses, however, produce fewer roots [ . . .]. The poorly rooted grasses eventually grow too tall and then fall over, thereby destabilizing the creek-edge and bay-edge marsh, causing it to slump and exposing soils to erosive forces. The destabilization [ . . .] makes these areas much more susceptible to the constant tugging and pulling of waves, accelerating erosion and the ultimate loss of stabilizing vegetation. This process results in the loss of the naturally resilient coastal barrier marshes—a barrier that

protects shoreline communities from major storm surges and wave action along coastal areas.<sup>1</sup>

As described above, *only* committing to a local solution— addressing the infrastructure need *without* undertaking environmental cleanup and additional coastal protection for shoreline communities *or* adding protection to shoreline communities but not addressing the infrastructure needs—would ignore the complexity and interrelatedness of the problem.

Understanding the necessity and value of regional collaboration for the NDRC, the State has consulted with both the City of New York and the State of New Jersey to develop this Phase 1 application. The City and State of New York maintain a critically productive working relationship in the administration of recovery programs. In particular, the City is a subrecipient to the State and will work with local NYRCR Planning Committees to implement several projects developed through the NYRCR Program. The State and City also coordinate closely to ensure alignment of the State’s Acquisition for Redevelopment program. The City’s Phase 1 application approach to serve vulnerable coastal communities throughout the five boroughs aligns with the State’s larger approach to ensure the development of resilient built and natural systems throughout the State.

The State will continue to coordinate with the City of New York and State of New Jersey to advance synergistic Phase 2 approaches that may include the advancement of specific projects, partnerships, or funding schemes.

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<sup>1</sup> “Nitrogen Pollution and Adverse Impacts on Resilient Tidal Marshlands. NYS DEC Technical Briefing Summary.” NYS DEC. April 22, 2014. (2.)

There are many benefits to developing comprehensive regional solutions rather than siloed, one-off solutions. Regional solutions protect more people, are often more practical, and may prove to be more cost effective for the State, all of which are co-benefits. Importantly, regional solutions respond to negative externalities often ignored by one-off solutions. Addressing these externalities will help to combat inequality, as externalities, like pollution, often impact those most socially and economically vulnerable.

There are many examples of best practices in regional thinking. One of these is New York State’s Regional Economic Development Councils (REDCs). The State’s ten REDCs are comprised of local public, private, and academic experts working in a particular region. Each REDC creates an economic development plan and implementation agenda that emphasizes the economic strengths of the area. Each REDC applies for project funding through the Consolidated Funding Application (CFA). The CFA now features scoring components to reward the inclusion of resilience measures in a grant application. GOSR has worked with REDCs to secure additional funding for projects highlighted in NYRCR Plans. Thus far, 24 NYRCR projects will receive more than \$11.6 million in funding, across six REDCs: Mohawk Valley, Southern Tier, Mid-Hudson, Capital District, North Country, and Long Island.

As directed by HUD, at this stage in the application process, the State is not proposing specific projects. However, in addition to GOSR, there are many state agencies as well as inter-state agencies, such as the NDRC Interagency Working Group, that are extremely capable leaders in developing and implementing regional approaches to resilience.