STATE OF NEW YORK

8013

2017-2018 Regular Sessions

IN ASSEMBLY

May 25, 2017

Introduced by M. of A. MORELLE -- Multi-Sponsored by -- M. of A. BARCLAY, BRONSON, HAWLEY, JENNE, JOHNS, LAWRENCE, MORINELLO, NORRIS, OAKS -- read once and referred to the Committee on Local Governments

AN ACT to create the Lake Ontario-St. Lawrence Seaway flood recovery and International Joint Commission Plan 2014 mitigation grant program

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. There is hereby created the Lake Ontario-St. Lawrence Seaway flood recovery and International Joint Commission Plan 2014 mitigation grant program.

1. (a) Small businesses, farms, owners of multiple dwellings, owners of residences, and not-for-profit organizations that sustained direct physical flood-related damage as a result of flooding caused by the raised level of Lake Ontario and the St. Lawrence river, that occurred between January 1, 2017 and June 30, 2017, shall be eligible to apply for a grant under this subdivision.

(b) Such grant shall not be limited in dollar amount. Such grant shall be used for storm-related repairs and restoration to structures, equipment, and for other storm-related costs, all of which were not covered by any other federal, state or local recovery program or any third-party payors.

(c) The empire state development corporation shall administer this grant program, which shall not exceed in the aggregate $40,000,000. Such corporation is hereby empowered to establish grant guidelines and additional eligibility criteria, based on available flood damage data provided by applicable state and/or federal agencies, as it deems necessary to effectuate the administration of this program. In providing assistance pursuant to this subdivision, the empire state development corporation shall give preference to applicants that demonstrate the greatest need, based on available flood damage data provided by applicable state and/or federal agencies.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

LBD11864-02-7

2. (a) Counties, cities, towns, villages and special districts that sustained direct physical flood-related damage as a result of flooding caused by the raised level of Lake Ontario and the St. Lawrence River, that occurred between January 1, 2017 and June 30, 2017, are eligible to apply for a grant under this subdivision.

(b) Such grant shall not be limited in dollar amount. Such grant shall be used for storm-related repairs and restoration to municipal infrastructure and systems, including, but not limited to, roads, bridges and other transportation systems, drinking water supply systems, sanitary and/or storm sewer systems, levy and/or flood protection systems, as well as for municipal equipment, and for other storm-related costs, all of which were not covered by any other federal, state or local recovery program or any third-party payors.

(c) The empire state development corporation shall administer this grant program, which shall not exceed in the aggregate $40,000,000. Such corporation is hereby empowered to establish grant guidelines and additional eligibility criteria, based on available flood damage data provided by applicable state and/or federal agencies, as it deems necessary to effectuate the administration of this program. In providing assistance pursuant to this subdivision, the empire state development corporation shall give preference to applicants that demonstrate the greatest need, based on available flood damage data provided by applicable state and/or federal agencies.

3. (a) The empire state development corporation, in consultation with the department of environmental conservation and the environmental facilities corporation, shall administer a grant program for counties for flood mitigation or flood control projects in creeks, streams, and brooks. Only counties that sustained direct physical flood-related damage as a result of the flooding caused by the raised level of Lake Ontario and the St. Lawrence river, between January 1, 2017 and June 30, 2017, shall be eligible to apply for a grant under this subdivision.

(b) This grant program shall not exceed in the aggregate $25,000,000. Individual grants shall be limited in amount. The empire state development corporation, in consultation with the department of environmental conservation and the environmental facilities corporation, is hereby empowered to establish grant guidelines and additional eligibility criteria, based on available flood damage data provided by applicable state and/or federal agencies, as it deems necessary to effectuate the administration of this program. In providing assistance pursuant to this subdivision, the empire state development corporation shall give preference to applicants that demonstrate the greatest need, based on available flood damage data provided by applicable state and/or federal agencies including the International Joint Commission. Priority also may be given to remediation which if not undertaken may result in additional flooding.

§ 2. This act shall take effect immediately.