

# **The Morris County Open Space, Farmland, Floodplain Protection and Historic Preservation Trust Fund**

## **6. Flood Mitigation Program**

### **6.1 Introduction**

Increased, repetitive flooding in New Jersey, especially recovery from the excessive flooding caused by Hurricane Irene in 2011, has led Morris County to expand their floodplain mitigation efforts by creating a specific program with designated funding for the buyout of flood-prone residential properties.

In Morris County, flood problems are caused, in part, by development in the flood plain, which is particularly evident in the Passaic River Basin where development has encroached upon the floodway and in the flood hazard areas. Working closely with the affected municipalities, as well as funding partners at the state and federal level, Morris County will mitigate this situation by assisting municipalities with the acquisition of flood damaged properties, requiring the demolition of structures on-site and permanently preserving the land therein.

Priority will be given to municipalities that have sought funding from other sources prior to applying to Morris County. Application to other funding sources is *not* a requirement to be eligible for this program. Applications not funded through this program may apply, subsequently, to the traditional Morris County Open Space program.

The 1988 Morris County Open Space Master Plan states that developed areas, which are subject to recurrent flooding, pose a serious threat to the public's health, safety and general welfare and that land along streams and rivers should be preserved. A key management strategy for flood control involves the purchase and removal of frequently flooded housing within the flood plain. The objectives are to provide natural open space areas for floodwater storage, decrease the loss of life and property risk, lower costs for the governments involved, and provide a new beginning for flood-prone home owners. Morris County will endeavor to move people and homes out of harm's way and create new open space that will help absorb and contain future flooding.

### **6.2 Background**

The NJ Office of Emergency Management (OEM) administers Federal Emergency Management Agency (FEMA) programs that buyout flood prone properties, converting them to permanent open space. Flood inundated communities can utilize this federal acquisition funding as a hazard mitigation option. The federal program requires a matching grant for the cost of acquisition, either from the corresponding state or municipality. Once a property is bought, from willing sellers only, the local government must demolish all structures and maintain the site as public open space in perpetuity.

This FEMA Program, as well as the NJ Department of Environmental Protection (NJDEP) Blue Acres Program, is consistent with the goals and regulations of the Trust Fund. Therefore, Morris County will begin to work with FEMA, OEM and Blue Acres to assist local governments by providing the match requirement for land acquisition projects. Morris County will prioritize applications that obtain FEMA funding. However, Morris County will additionally consider properties outside the federal and state programs, with the requirement that the municipality provide the matching acquisition funds. These matching funds may not be derived from the Municipal and/or Qualified Charitable Conservancy Projects Program (a.k.a. the traditional Morris County Open Space Program).

### **6.3 Program Overview**

The Morris County Flood Mitigation Program (FMP) will consider grant applications from municipalities for the acquisition of residences that have experienced severe, repetitive flooding, or sustained substantial

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Through the MATCH program, Morris County will provide matching funds to municipalities in partnership with FEMA, Blue Acres, or the municipality, up to a maximum of 25% of total project cost. In the CORE Program, Morris County will take the lead funding role, providing up to a maximum of 75% of total project cost. CORE Applications must be accompanied by a basic, long-term acquisition plan for mitigating the flood-prone areas of a municipality, which includes an assessment of flooding risk and a delineation of desirable areas for acquisition. Morris County will directly assist municipalities, on an as-needed basis, with the preparation of this plan; this assistance will include all required mapping.

Grant applications may be filed throughout the year on a rolling basis. All applications are to be submitted to the Morris County Office of Planning & Preservation. The Flood Mitigation Program staff will review the application to determine eligibility and completeness. If proceeding, then staff will conduct a preliminary site assessment.

Viable applications will be presented to the Flood Mitigation Committee (FMC) which will assess each application according to established criteria. The FMC's recommendations will be forwarded to the Board of Chosen Freeholders who will determine grant awards based upon appraised values.

The municipal applicants will be notified of their awards and will receive a grant agreement detailing State and County requirements and conditions. The agreement must be executed by the municipality and the Board of Chosen Freeholders (BCF) prior to any disbursement of funds from the County.

Additionally, through the Community Rating System (CRS) Assistance program, Morris County provides technical expertise and resource support to municipalities seeking to join or participate in the National Flood Insurance Program's CRS program. This program incentivizes communities to better communicate and protect against future flood events through the implementation of superior flood hazard mitigation measures; these efforts may result in flood insurance discounts for all property owners within the community.

#### **6.4 Goals of Program**

- A. Provide natural open space areas for floodwater storage
- B. Decrease the risk of potential loss of life to both citizens and emergency response personnel
- C. Lower OEM and other relief and recovery costs for local governments.
- D. Create a buffer area that will protect inland homeowners and their property
- E. Lower property losses after storm events
- F. Lower property owners flood insurance costs
- G. Provide a new beginning for flood-prone homeowners
- H. Promote awareness of flood risk and mitigation measures available

#### **6.5 Eligible Applicants**

Any of the thirty-nine municipalities in the County of Morris.

#### **6.6 Eligible Properties**

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- A. The property must be located in Morris County.
- B. The use of the property must be residential. Properties with non-residential uses including, but not limited to commercial, industrial, government, vacant, schools, recreational, conservation, utility, transportation uses, and mixed-uses are not eligible.
- C. Properties with a history of repetitive loss or a property that have sustained substantial damage (greater than 50%) in a single flood event
- D. The Project Area and/or property must receive a minimum “Benefit Cost Ratio” (BCR) of 1:1 to qualify for grant consideration. The BCR will be determined using FEMA’s Benefit Cost Analysis Model.
  - a. If a property sustains substantial damage (SD) and is certified as such by the municipal engineer or municipal construction official, then the FEMA Benefit Cost Analysis Model does not need to be run. This property would be considered cost effective for the Flood Mitigation Program.
    - i. Substantial damage applies to a structure in the Special Flood Hazard Area (SFHA) for which the total cost of repairs is 50% or more of the structures value before the disaster occurred.
    - ii. Substantial damage can be caused by flood, fire or other disaster.
    - iii. Certification must be on municipal letterhead or email. If the person certifying the SD is not a municipal employee (consulting/contractor) then the municipal administrator/manager must forward the certification to the Flood Mitigation Program staff.
    - iv. This stipulation is based on a FEMA HMA guidance document:  
[https://www.fema.gov/media-library-data/1424983165449-38f5dfc69c0bd4ea8a161e8bb7b79553/HMA\\_Guidance\\_022715\\_508.pdf](https://www.fema.gov/media-library-data/1424983165449-38f5dfc69c0bd4ea8a161e8bb7b79553/HMA_Guidance_022715_508.pdf)
    - v. This property must be in the Special Flood Hazard Area on a preliminary or effective Flood Insurance Rate Map to be considered cost effective.
    - vi. Should the above guidance document be rescinded (item iv), Section D. a. i through v. would be null and void. The FEMA Benefit Cost Analysis Model would need to be run for future Project Areas. Project Areas that have already had funds encumbered would be allowed to proceed until completed or funds expire.
    - vii. The rest of the properties in the Project Area not considered substantially damaged would still require the Benefit Cost Analysis Model to be run.
  - b. If the acquisition cost for an individual property is less than or equal to \$276,000 it would automatically be considered cost effective. The individual property would still need to meet the other eligibility requirements to be considered eligible for Flood Mitigation Program funding. In addition, these properties must be in the SFHA as delineated by the effective or preliminary Flood Insurance Rate Maps.
    - i. This stipulation is based on FEMA guidance provided in 2013:  
[https://www.fema.gov/media-library-data/2cd22ac644e67fe1960b08c82bf05af0/Cost\\_Effectiveness\\_for\\_Acquisitions\\_and\\_Elevations\\_web.pdf](https://www.fema.gov/media-library-data/2cd22ac644e67fe1960b08c82bf05af0/Cost_Effectiveness_for_Acquisitions_and_Elevations_web.pdf)
    - ii. This guidance document is only applicable for acquisitions, as the Flood Mitigation Program does not fund elevations.
    - iii. Should the above guidance document be rescinded (item i), Section D.b.i. would be null and void. The FEMA Benefit Cost Analysis Model would need to be run

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for future Project Areas. Project Areas that have already had funds encumbered  
would be allowed to proceed until completed or funds expire.

- E. Property owner must be a willing seller.
- F. Properties in the process of bank foreclosure or currently held by a bank post-foreclosure that meet the criteria in items A - E.

### **6.7 Eligible Activities**

- A. Acquisition of flood-prone and flood-damaged dwellings and the parcels upon which such dwellings are located.
- B. Flood events that are eligible include:
  - 1. Overland water flow
  - 2. Excessive land saturation due to cumulative rainfall or snowmelt
  - 3. Slope failure, slope erosion or mudflow – public access to these properties may be limited due to public safety issues

### **6.8 Acquisition Procedures**

- A. Any application to Morris County for flood mitigation funding must first be made to the Flood Mitigation Program.
- B. Only if said application has been reviewed and rejected by the FMC or the BCF or deemed ineligible, may application be made to other grant programs funded by the Morris County Open Space, Recreation, Farmland and Historic Preservation Trust .
- C. If a municipality seeks funding, up to 25% of the acquisition cost, to match a project underway with another funding agency, e.g. FEMA or NJDEP Blue Acres, then application shall be made to the MATCH program by meeting with Morris County staff and providing the full application given to the other funding agency, including any mapping, project analysis or determination of Benefit-Cost Ratio.
- D. If the project is a nationally declared disaster, which has received obligated funds from another agency, application shall be considered “Fast Track”; see section 6.15 for details.
- E. If a municipality seeks the majority of the acquisition cost, up to 75%, from Morris County, then application shall be made to the CORE program, wherein a Flood Acquisition Plan (FLAP) and Morris County CORE application are required and shall be developed with help from Morris County staff.
- F. The requirement for a FLAP is waived in the case of nationally-declared disasters which have received obligated funds from another agency.
- G. **Flood Acquisition Plans (FLAP)** shall consist of three elements and are the proprietary property of the municipality. The County will keep the FLAP confidential and any decision regarding the distribution of the FLAP shall be determined by the municipality. Morris County staff shall work free of charge with the municipality to develop the FLAP.

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1. Narrative - a brief recounting of the history of flooding in the municipality and goals for its flood mitigation effort
2. Map - shows the location of flood and stream features, including, but not limited to: riparian sources, floodplains, floodways, homes with active National Flood Insurance Policies, information from Flood Insurance Rate Maps, Flood Insurance Studies, and the identification of previously preserved properties
3. Project Areas – derived from the narrative and map, areas to be the focus of flood mitigation efforts shall be identified, including a list of specific parcels therein.

H. **Approval Process** shall be in two steps:

1. Preliminary Approval by FMC and BCF; this determines a lump sum amount to be encumbered for use in a defined Project Area
2. Approval by FMC and BCF to release a specified dollar amount to a municipality for the acquisition and preservation of a specific, individual property

I. **Application Process:**

1. Application – A municipality files an application with Morris County’s Flood Mitigation Program, which includes all documentation delineated on application checklist, including a FLAP if application is to the CORE Program and has not been approved by another funding agency. Both “Priority” and “Alternate properties” shall be included on the application’s acquisition list, and all resultant Municipal and County resolutions, in the event that a “Priority” property withdraws from the program.
2. Review – Morris County staff determines that the application has met eligibility requirements and presents the application to the Flood Mitigation Committee.
3. Appraisal – Municipality has an appraisal done of applicant property to determine reasonable, pre-flood event market value based on comparable sales (Date of appraisals shall be August 27, 2011 (pre-Hurricane Irene) or current market, whichever is higher, unless the property was transferred after August 27, 2011 to a subsequent owner, then the value of the property shall be based on post-flood, current market value or the consideration paid for the Property by the current subsequent owner, whichever is less.)
4. Contract – Municipality enters into a sales contract with willing landowner
5. Grant Agreement – Municipality enters in to a grant agreement Morris County
6. Acquisition – Morris County wires approved funds to the municipality who in turn purchases, fee simple, the eligible structures and lands from a willing landowner
7. Demolition – the entire removal of a residence(s) and any appurtenances within 90 days of the property’s acquisition; and restoration of the property to its natural state. Costs for demolition, debris removal, regrading, topsoil and seeding shall be provided by the Morris County Preservation Trust Fund in the same costshare percentage as the acquisition cost.
8. Preservation – a permanent deed restriction will be placed on the land at the time of closing and it will be held as preserved open space in perpetuity by the municipality. Properties may be used for active or passive recreation. There shall be no impediment to the retention and absorption of flood waters – see Section 6.8-J for details.

- J. **Post-Preservation Land Use Restrictions** – Restrictive covenants shall be included and conveyed in the deed to any property acquired through this program. The County shall provide model deed restrictions for grantee’s use. Said restrictions are similar to those approved by FEMA in 44 CFR Chapter 1, Section 206.434, item (e).
1. The property shall be dedicated and maintained in perpetuity for uses compatible with open space, recreation or wetlands management
  2. No new structures are permitted to be built, except as indicated below:
    - i. a public facility that is open on all sides and functionally related to a designated open space or recreational use
    - ii. a rest room
    - iii. in general, allowable open space, recreational, and wetland management uses include parks for outdoor recreational activities, nature reserves, cultivation, grazing, unimproved parking lots, and buffer zones.

**6.9 Requirements for Matching Funds**

- A. Morris County will provide up to a maximum of 75% of total project cost.
- B. The municipality must arrange for the remaining match funding. It can be from a variety of sources, including, but not limited to: FEMA, NJDEP Blue Acres, NJDEP Green Acres, municipal open space trust fund, municipal general funds and homeowner donation of value (acceptance of a reduced price, which can then be considered as a donation of land for tax purposes).
- C. These matching funds shall not be derived from any program funded by the Morris County Open Space, Recreation, Farmland and Historic Preservation Trust.

**6.10 Activities Ineligible for FMP Funding**

- A. Elevations, and other non-acquisition mitigation techniques
- C. Any project involving eminent domain
- D. Acquisition of non-residential properties, including commercial, office, retail, industrial, vacant land, and public lands.
- E. Improvements to the property including, but not limited to, landscaping (beyond aforementioned seeding), and construction of facilities. (See Section 6.8-K for Post-Preservation Land Use – no structure or activity is permitted that shall impede the flow or absorption of floodwaters once the land has been acquired and permanently deed restricted.).

**6.11 Flood Mitigation Committee (FMC)**

**(Amended by Resolution #17, 5/24/2017)**

- A. The FMC is an advisory committee comprised of seven members that, shall review, prioritize and make funding recommendations to the Morris County Board of Chosen Freeholders.
- B. Meetings shall be held monthly, on an as-needed basis.

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- C. A quorum shall consist of four FMC members.
- D. All nominees to the FMC shall be residents of Morris County.
- E. The Morris County Board of Chosen Freeholders shall appoint the FMC annually.
- F. The term of the FMC member shall be three years in length.
- G. Terms shall be staggered amongst the seven members.
- H. The Morris County Board of Chosen Freeholders may also appoint a Freeholder liaison to the FMC who shall not have voting privileges.
- I. In the event of a vacancy in the membership of the FMC occurring during the unexpired term of appointment, a person shall be appointed as a member of the FMC to serve for said unexpired term.
- J. Each year at its first annual meeting, the FMC shall elect a Chairperson and Vice-Chairperson from its regular members, for a term of one year.
- K. The Chairperson shall preside at all meetings of the FMC and shall appoint all standing and ad hoc committees as may be required.
- L. The Vice-Chairperson shall perform the duties of the Chairperson in his/her absence.
- M. Should the office of Chairperson become vacant, the Vice-Chairperson shall succeed to the office of the Chairperson for the balance of the term.
- N. The Vice-Chairperson shall perform such duties as may be assigned by the Chairperson.

**6.12 Application Review**

- A. The Morris County Office of Planning & Preservation (Department) will review submitted applications for eligibility and completeness.
- B. Applicants are encouraged to consult with the Department staff about any aspect of the application that requires clarification.
- C. All eligible and complete applications will be forwarded to the Flood Mitigation Committee who will evaluate them and make recommendations to the Board of Chosen Freeholders.
- D. Applications will be accepted on a rolling basis throughout the year.

**6.13 Appraisal Requirements**

- A. Prior to conducting an appraisal, the municipality must obtain a “**Statement of Voluntary Participation**” executed by all parties with an equitable interest in the subject property, which documents the property owner’s understanding and acceptance of the voluntary nature of said acquisition.

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- B. An executed copy of the “**Statement of Voluntary Participation**” shall be an exhibit in the appraisal report. The property owner is defined herein as any party with an equitable interest in the Subject Property. This form may be found at: [https://www.morriscountynj.gov/files/sharedassets/public/departments/planning-amp-preservation/voluntary-participation-form-2020\\_10\\_14\\_2020.pdf](https://www.morriscountynj.gov/files/sharedassets/public/departments/planning-amp-preservation/voluntary-participation-form-2020_10_14_2020.pdf) under “Forms”.
- C. All applicants seeking funding shall submit two (2) copies of the appraisal report in two formats: one (1) copy shall be an original hardcopy and one (1) copy shall be a digital version, prepared in accordance with the requirements of the NJDEP Blue Acres Program Appraisal Scope of Work, Section E, which can be found at: [www.nj.gov/dep/greenacres/blue\\_flood\\_ac.html](http://www.nj.gov/dep/greenacres/blue_flood_ac.html) under “Appraisals”, with the exception of the following:
1. The effective date shall be determined by the FMP,
  2. The Homeowner Outreach Form is not required by the FMP, but should be obtained for projects utilizing NJDEP funding.
- D. Morris County will provide cost share funding for up to one year after the municipality’s initial offer is made to the property owner. Said offer shall be automatically withdrawn after that time period expires.
- E. In the **MATCH program**, in which Morris County provides up to 25% of the acquisition costs as a subordinate funder, Morris County will utilize the Certified Market Value (CMV) accepted and/or certified by the majority funding agency; e.g., FEMA or NJDEP.
- F. In the **CORE program**, in which Morris County is the majority funder, providing up to 75% of the acquisition cost, all appraisals will be subject to a review by an appraiser hired by Morris County.
- G. **County Appraisal Review:**
1. CORE application appraisals submitted for funding through the Morris County FMP shall be reviewed by an appraiser hired by Morris County (“Review Appraiser”) who is currently a New Jersey State Certified General Real Estate Appraiser (SCGREA) and is on the current List of Approved Appraisers of the New Jersey Green Acres Program.
  2. The Review Appraiser shall review the appraisals in accordance with all appropriate current USPAP requirements as well as the requirements of the FMP as per this Section (6.13). If applicable, the Review Appraiser shall develop questions regarding the development of the opinion of value, and transmit these to the applicant’s appraiser with copy to the applicant.
  3. The Review Appraiser shall contact the applicant’s appraiser (via e-mail, phone, or letter) to address any questions regarding the development of the opinion of value that are not addressed in the appraisal report or resolved via written correspondence from the applicant’s appraiser.
  4. It is the applicant’s sole responsibility to directly contact their appraiser and instruct them to respond to the Reviewer’s questions regarding the development of the value conclusion and the final value conclusion which may occur as the result of the appraisal review.
  5. The Review Appraiser shall develop an opinion as to the completeness, accuracy, relevance and adherence to USPAP and FMP appraisal guidelines, and reasonableness of the analysis, given the law, regulations and intended user requirements applicable to the work under review.



H. **Accepted Market Value:**

1. If the Review Appraiser concludes the applicant's appraiser provides reasonable documentation, assumptions and analysis to support the credible assignment results and adequately addresses all the questions raised, the value conclusion shall be deemed Morris County's "Accepted Market Value" (AMV) upon which Morris County may cost share for the project.
2. If the Review Appraiser concludes that the applicant's appraiser does *not* provide reasonable documentation, assumptions, analysis to support credible assignment results and the value conclusions in the appraisal report and fails to adequately address all questions raised, leaving significant issues unresolved, then the Review Appraiser shall, at the direction of the Flood Mitigation Committee, develop an independent opinion of value utilizing the most current USPAP Standards and the FMP Appraisal Policy, which shall be deemed the AMV for Morris County's cost share participation percentage.
3. The AMV is the basis upon which Morris County may cost share for the project. The review appraiser's opinion will be final and binding on all parties that executed the "Statement of Voluntary Participation".
4. The AMV is for Morris County valuation purposes only and is not to be substituted, characterized or confused with the Certified Market Value (CMV) issued by NJDEP.

I. **Appraisal Value Disagreement:**

1. Should the property owner disagree with the municipality's appraised value and want to commission a second appraisal report; the municipality shall at its sole discretion determine if it will accept the owner's appraisal.
2. If a second appraisal is to be considered, the property owner shall commission this valuation at his/her sole cost and expense. The property owner's appraisal must be prepared in compliance with the FMP as per this Section (6.13).
3. If the estimated property value in the second appraisal is greater than 10% higher than the municipality's appraisal, then a third appraisal must be commissioned by the municipality for Morris County's review and determination of AMV.
4. Morris County will accept for review all three appraisals, but will only reimburse the appraisal fees for assignments directly hired by the municipality. The reimbursement shall be based on the cost-share participation percentage.

J. **At Risk Authorization:**

1. For the acquisition to remain eligible for Morris County FMP funding, the municipality shall *not* enter into a purchase contract for any parcel submitted for inclusion in this program unless it has first received either an AMV, or an "At Risk" authorization from Morris County.
2. Within 14 days of a municipality's request for an At Risk Authorization, Morris County FMP shall authorize, in writing, the municipality to proceed with the acquisition of a proposed flood mitigation project site at its own risk, indicating that the AMV has yet to be established.

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3. If the contract price is higher than the AMV as subsequently established by Morris County's Review Appraiser, then the municipality is responsible for making up this difference in project cost. Morris County will only fund the cost-share participation percentage to the amount of the AMV.
  4. The Morris County Flood Mitigation Program is not obligated to award funding for the acquisition of any project site for which Morris County FMP issues an At-Risk Authorization
  5. A municipality is not obligated to acquire any project site for which it has received At-Risk Authorization
- K. The cost of all appraisals contracted by the municipality is eligible for reimbursement at the cost-share participation percentage unless the appraisal fees and expenses are reimbursed by another governmental agency.
- L. The cost of an appraisal contracted by the property owner is *not* eligible, even if cost share participation is ultimately based on that appraisal.
- M. Morris County's maximum cost share participation on a project shall not exceed 75% of the AMV
- N. Morris County may cost share on a project up to the lower of either the contract value or the AMV
- O. Foreclosure - If a property is under bank foreclosure, the offer to the bank will be post-flood, current fair market value or the remaining principal balance on the mortgage, whichever is *less*.
- P. Subsequent Owner – post-flood, current market value shall be used; however in no case shall the value exceed the consideration paid for the property.

**6.14 Evaluation Criteria**

The following criteria will be considered when evaluating applications:

- A. Encourage preservation of multiple parcels in a flood prone area to achieve the most effective flood storage and protection capabilities
- B. Discourage 'checkerboard' preservation within neighborhoods
- C. Concentrate on properties that have experienced severe, repetitive loss due to flooding or extreme damage from a specific storm event, i.e. Hurricane Irene
- D. Prioritize municipalities with local hazard mitigation plans, which have also signed on to the Morris County Hazard Mitigation Plan
- E. Give consideration to specific projects as they relate to the municipality's overall, long term flood mitigation acquisition plan
- F. Projects should be consistent with the objectives of Morris County and Municipal Open Space Plans
- G. Priority shall be given based on the level of damage to a residence; unsafe, uninhabitable structures shall receive the highest priority
- H. The FMC discourages construction of new buildings or the expansion of existing buildings in flood prone areas. Recent development of this type will be a factor considered by the Committee in its review of applications.

### **6.15 Funding Requirements**

- A. Funding levels/cost share percentages will be determined based on what other funding has been obtained, e.g. FEMA, Blue Acres, etc.
- B. All funds go directly to the municipality for distribution, not the individual homeowner
- C. The County's flood mitigation grant to a municipality shall not exceed 75% of the acquisition cost; the specific cost share amount will be determined on a case-by-case basis and will be detailed in the Grant Agreement.
- D. Soft Cost Reimbursement is available, at the same percentage as the acquisition cost, on closed projects only. See "**Soft Cost Reimbursement Form**" for eligible items for reimbursement. (<https://www.morriscountynj.gov/files/sharedassets/public/departments/planning-amp-preservation-flood/soft-cost-reimbursement-form.pdf>)
- E. Once a Project Area receives Preliminary Approval, funds for the specific parcels in that Project Area will be encumbered for municipal use for a period of three years from the date of said approval.
- F. Once that time span has expired, the municipality may apply for up to two, 6-month-long, extensions by demonstrating challenging circumstances that have inhibited project progression and the Municipality's efforts to address these difficulties.
- G. Funds not expended within this 3- to 4-year time period will be forfeited and returned to the FMP as unencumbered funds.
- H. Should a municipality withdraw an entire Project Area the funds will be forfeited and returned to the FMP as unencumbered funds.
- I. Once this forfeiture has occurred, there shall be a one-year wait period until an application for the same parcels in this Project Area can be made to the FMP; the only exemptions to this rule is forfeiture of grant funds due to a bank-related or third-party issue

### **6.16 FAST TRACK Applications**

In the event of a nationally declared disaster, individual property applications already approved by FEMA will be expedited for Flood Mitigation Committee and Board of Chosen Freeholders approval. FEMA and/or NJDEP Blue Acres will provide all required application mapping, appraisals and property analysis to Morris County staff and the Flood Mitigation Committee for its review. Morris County will endeavor to provide up to 25% match funding to coincide with the federal and state agencies closing date on said properties.

### **6.17 Survey Requirements**

- A. All applicants seeking funding shall submit a survey prepared by a New Jersey licensed land surveyor in conformance with this policy not later than 30 days prior to closing for its review and approval. Previous surveys accompanied by an 'Affidavit of No Change' may suffice. The Office of Planning and Preservation shall have the right to disqualify any survey that doesn't meet the deadlines and/or requirements outlined in this policy.
- B. The survey shall show all easements and right-of-way dedications for County roads, bridges and drainage structures, (e.g. sight triangle easements, bridge maintenance easement and

roadway dedications) in accordance with the County Official Map, the County Engineer, and requirements of County Planning Board approval, where applicable.

**C. Scope of Work/Specifications/Deliverables**

1. One electronic and one paper copy of the survey plat, along with a metes and bounds description, shall be prepared according to the Digital Mapping Submissions Standards (Appendix G) of the Morris County Land Development Standards.
2. For projects with no funding from the New Jersey Green Acres, or Blue Acres Programs, an open space survey must be prepared to the minimum standards for land surveys as defined in N.J.A.C. 13:5.1 et seq. by the State Board of Professional Engineers and Land Surveyors.
3. For projects with potential/committed funding from the New Jersey Green Acres, or Blue Acres Programs, the survey must be prepared in accordance with the requirements of the NJDEP Green Acres Standard Scope of Survey Work, which can be found at:  
<http://www.nj.gov/dep/greenacres/survey/blueacres.html#acquisition>

**6.18 Morris County Community Rating System (CRS) - Assistance Program**

- 1. Management of local CRS programs is the responsibility of the participating municipality.**
  - a. Municipal participation in the National Flood Insurance Program (NFIP) CRS program is voluntary;
  - b. Once a community receives its initial CRS classification, municipalities are responsible for continuing to implement their credited Activities in order to keep, maintain and improve upon their CRS classification as specified in Section 114.b of the NFIP CRS Coordinator's Manual (FIA 12/2013 or FIA-15/2017);
  - c. Morris County is not obligated to provide services to municipalities in order to retain, maintain, or improve upon their status in the CRS program.
- 2. Assistance from Morris County must satisfy a specific CRS Activity as identified in the NFIP "CRS Coordinator's Manual" (FIA-12/2013 or FIA-15/2017).**
  - a. Municipal requests for assistance must reference a specific Activity by NFIP Activity Number and Element;
  - b. All requests to the County must be submitted in writing or e-mail to the Office of Planning and Preservation, Flood Mitigation Program/CRS Coordinator;
    - i. Municipalities shall provide the County with a clear description of the type of assistance being requested;
    - ii. The County will provide municipalities with a response as to the level of assistance available for each request made;
    - iii. Municipalities may be asked to provide additional information or data in order to process a specific request.
- 3. The Morris County CRS Assistance Program is intended to promote awareness of the NFIP CRS program among municipal officials responsible for implementing local mitigation activities.**

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- a. Requests for assistance must come directly from the municipality's Administrator, Construction Official, OEM Coordinator, Engineer, Floodplain Manager or the designated community CRS Coordinator; any of whom shall act in the capacity of the community's authorized CRS requestor;
  - b. Communities who rely on professional consultative services to manage and/or coordinate their CRS program must make all requests through their municipal Administrator/Manager;
  - c. A municipal Administrator relying upon professional consultative services to manage and/or coordinate the community's CRS program must:
    - i. Provide requests for assistance in accordance with item #2
    - ii. Provide requests for assistance on municipal letterhead or from the Administrator's municipal e-mail account;
    - iii. Act solely in the capacity as the community's authorized CRS requestor;
  - d. The County will only provide requested data and/or information to the community's authorized CRS requestor in accordance with these rules.
- 4. The Morris County CRS Assistance Program is intended to help municipalities that may not have the subject matter expertise or technical capability to successfully participate and/or advance in the NFIP CRS program.**
- a. The Morris County Users Group is open to municipalities seeking to advance their knowledge and understanding of the NFIP CRS program;
  - b. Due to limited County resources, assistance will be prioritized based on a community's technical capacity and professional, subject-matter capabilities;
  - c. The County will not provide duplicative consulting services, data or analysis for those communities relying upon professional consultative services to manage and/or coordinate their CRS program.

*Originally Adopted:* March 14, 2014