

CAPABILITIES AND RESOURCES

This capability assessment examines the ability of Nassau County and other participating jurisdictions to implement and manage a comprehensive mitigation strategy, which includes a range of mitigation actions. The strengths, weaknesses, and resources of participating jurisdictions are identified in this assessment as a means to develop an effective hazard mitigation program. Furthermore, the capabilities identified in this assessment are evaluated collectively to develop recommendations, which support the implementation of effective mitigation actions throughout the County.

Nassau County Office of Emergency Management and the Planning Group distributed questionnaires in order to initiate this capability assessment. The questionnaires requested information pertaining to existing plans, polices, and regulations that contribute to or hinder the ability to implement hazard mitigation actions. They also requested information pertaining to the legal and regulatory capability, technical and administrative capacity, and fiscal capability of each jurisdiction. Participants were asked to submit completed questionnaires illustrating their capability to implement a mitigation strategy.

This section describes the activities currently underway, which contribute to or can be utilized for hazard mitigation. Due to the limited number of responses received from participating jurisdictions, the capability assessment emphasizes the technical and financial resources available at the State and Federal levels, which the County can access to effectively implement a hazard mitigation program.

Capabilities and Resources – Nassau County and Participating Jurisdictions

Overview

The following table provides a summary of the relevant plans, codes, and ordinances currently in place in each participating jurisdiction based upon Capability Assessments that were completed and returned to the NCOEM. The checkmark (√) indicates that the jurisdiction reported having the authority to implement the specified regulatory tool and that the tool is currently in place. Additional details are provided throughout the remainder of this section.

Legal and Regulatory Capability Inventory													
Jurisdiction	Building Code	Zoning Ordinance	Subdivision Ordinance	Special Purposes Ordinance	Growth Mgmt Ordinance	Site Plan Review Requirements	Comprehensive Plan	Capital Improvements Plan	Economic Development Plan	Emergency Response Plan	Post-Disaster Recovery Plan	Post-Disaster Recovery Ordinance	Real Estate Disclosure Ordinance
Nassau County		√	√				√	√	√	√			
Atlantic Beach	√	√	√	√	-	√	√	√	-	√	√	-	√
Bayville	√	√	√	√	-	√	√	√	√	√	-	-	√
Centre Island	√	√	√	√	√	√	-	-	-	√	-	-	√
Flower Hill	√	√	√	-	-	√	-	√	-	√	√	-	-
Great Neck Plaza	-	√	√	√	√	√	-	-	-	√	√	-	-
Lawrence	-	√	√	√	-	√	√	√	-	√	-	-	-
Malverne	-	√	√	√	√	√	√	√	-	√	√	√	-
Oyster Bay	√	√	√	√	-	√	-	√	-	√	-	-	-
Roslyn	√	√	√	√	-	√	√	√	-	√	-	-	-

Legal and Regulatory Capability Inventory													
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Valley Stream	√	√	√	√	-	√	√	√	-	√	√	√	-
Other Participants													
Albertson Fire Co.	√	√	√	√	√	√	√	√	√	√	-	-	-
Great Neck S.D.	-	-	-	-	-	√	√	√	-	√	√	-	-
Oyster Bay Cove Police Department	√	√	√	√	-	√	√	√	-	-	-	-	-

Legal and Regulatory Capability

As indicated in the above table, Nassau County and its incorporated jurisdictions have several policies, programs, and capabilities, which help to prevent and minimize future damages resulting from hazards. These tools are valuable instruments in pre and post disaster mitigation as they facilitate the implementation of mitigation activities through the current legal and regulatory framework. These policies, programs, and capabilities are described in greater detail for Nassau County and the participating jurisdictions, as well as the State and Federal levels.

Building Code

Building codes regulate construction standards and are developed for specific geographic areas of the country. They consider the type, frequency, and intensity of hazards present in the region. Structures built to applicable building codes are inherently resistant to many hazards such as strong winds, floods, and earthquakes. Due to the location specific nature of the building codes, these are very valuable tools for mitigation.

The Town of Oyster Bay and the Villages of Atlantic Beach, Bayville, Centre Island, Flower Hill, Roslyn, and Valley Stream adhere to a building code through local authority while the Villages of Lawrence and Malverne adhere to a code administered through the authority of a higher jurisdiction. The Albertson Fire Company and the Oyster Bay Cove Police Department also adhere to a building code through local authority.

Zoning Ordinance

Zoning is a useful tool to consider when developing a mitigation strategy. It can be used to restrict new development, require low-density development, and designate specific uses (e.g. recreational) in the hazard prone areas. Private property rights must be considered, but enacting a zoning ordinance can reduce or potentially eliminate damages from future hazard events. According to the State Multi-Hazard Mitigation Plan, all local communities in the State of New York are encouraged to incorporate mitigation standards in zoning and land use ordinances.

All of the jurisdictions that completed the Capability Assessment Questionnaire have adopted a zoning ordinance with the exception of the Great Neck School District. The Planning Group noted that the State of New York prohibits the adoption of a zoning ordinance for school districts.

Subdivision Ordinance

Subdivision ordinances offer an opportunity to account for natural hazards prior to the development of land as they formulate regulations when the land is subdivided. Subdivision design that incorporates mitigation principles can reduce the exposure of future development to hazard events. Nassau County is the only county in New York State with jurisdiction over subdivision regulations, which offers an opportunity to incorporate mitigation activities into future development throughout the County.

All of the jurisdictions that completed the Capability Assessment Questionnaire have adopted a subdivision ordinance with the exception of the Great Neck School District. The State of New York prohibits the adoption of a subdivision ordinance for school districts.

Special Purpose Ordinance

A special purpose ordinance is a form of zoning in which specific standards dependent upon the special purpose or use must be met. For example, many special purpose ordinances include basic development requirements such as setbacks and elevations. The special purpose ordinance is a useful mitigation technique particularly when implemented to reduce damages associated with flooding and coastal erosion.

All of the jurisdictions that completed the Capability Assessment Questionnaire have adopted a special purpose ordinance with the exception of the Village of Flower Hill and the Great Neck School District. The State of New York prohibits the adoption of a special purpose ordinance for school districts.

Growth Management Ordinance

Growth management ordinances are enacted as a means to control the location, amount, and type of development in accordance with the larger planning goals of the jurisdiction. These ordinances often designate the areas in which certain types of development is limited and encourage the protection of open space for reason such as environmental protection and limitation of sprawl.

The Villages of Centre Island, Great Neck Plaza, and Malverne have adopted growth management ordinances.

Site Plan Review Requirements

Site plan review requirements are used to evaluate proposed development prior to construction. An illustration of the proposed work, including its location, exact dimensions, existing and proposed buildings, and many other elements are often included in the site plan review requirements. The site plan reviews offer an opportunity to incorporate mitigation principles, such as ensuring that the proposed development is not in an identified hazard area and that appropriate setbacks are included.

All of the jurisdictions that completed the Capability Assessment Questionnaire have adopted site plan review requirements.

Comprehensive Plan

A comprehensive plan is a document which illustrates the overall vision and goals of a community. It serves as a guide for the community's future and often includes anticipated demographics, land use, transportation, and actions to achieve desired goals. Integrating mitigation concepts and policies into a comprehensive plan provides a means for implementing initiatives through legal frameworks and enhances the opportunity to reduce the risk posed by hazard events.

The Nassau County Comprehensive Plan was developed in 1998 and updated in 2003. The updated Plan includes a discussion of demographics, development trends, new zoning ordinances, environmental resources, water resources, open space preservation, and economic development. Positive growth is the planning goal embedded in both the 1998 Plan and the 2003 update.

Mitigation principles are important to consider when striving for positive growth. While mitigation strategies are not explicitly discussed in the updated Plan, they are closely aligned with the plan's recommendations for achieving positive growth. For example, the 2003 update encourages the Nassau County Planning Commission to coordinate with the Open Space and Parks Advisory Committee to develop criteria for the evaluation of properties available for acquisition. While acquisition is a tool for open space preservation, it is also a tool for mitigation. Considering mitigation in the preservation and protection of open space can support the recommendations outlined in the updated Plan.

In addition to Nassau County, the Villages of Atlantic Beach, Bayville, Lawrence, Malverne, Roslyn, and Valley Stream have adopted Comprehensive Plans. The Albertson Fire Company, Great Neck School District, and the Oyster Bay Cove Police Department have also reported that they have adopted Comprehensive Plans.

Capital Improvement Plan

Capital Improvement Plans schedule the capital spending and investments necessary for public improvements such as schools, roads, libraries, and fire services. These plans can serve as an important mechanism to reduce growth in identified hazard areas through limited public spending.

All of the jurisdictions that completed the Capability Assessment Questionnaire have a Capital Improvement Plan with the exception of the Villages of Centre Island and Great Neck Plaza.

Economic Development Plan

Economic development plans offer a comprehensive overview of the local or regional economic state, establish policies to guide economic growth, and include strategies, projects, and initiatives to improve the economy in the future.

The goal of the Nassau County Economic Development Plan is sustainable growth. The County seeks to achieve sustainable growth by attracting and retaining high-skilled jobs; revitalizing the County's traditional downtowns; decontaminating and re-using brownfields; increasing the workforce and housing for seniors; preserving open space; and promoting sports, entertainment, and tourism. Economic development plans, similar to capital improvement plans, offer an opportunity to reduce development in hazard prone areas by encouraging economic growth in areas less susceptible to hazard events.

In addition to Nassau County, the Village of Bayville and the Albertson Fire Company have economic development plans.

Emergency Response Plan

Emergency response plans provide an opportunity for local governments to anticipate an emergency and plan the response accordingly. In the event of an emergency, a previously established emergency response plan can reduce negative effects as the responsibilities and means by which resources are deployed has been previously determined.

All of the jurisdictions that completed the Capability Assessment Questionnaire have adopted an emergency response plan with the exception of the Oyster Bay Cove Police Department.

Post-Disaster Recovery Plan

A post disaster recovery plan guides the physical, social, environmental, and economic recovery and reconstruction procedures after a disaster. Hazard mitigation principles are often incorporated into post disaster recovery plans in order to reduce repetitive disaster losses.

The Villages of Atlantic Beach, Flower Hill, Great Neck Plaza, Malverne, and Valley Stream, as well as the Great Neck School District have developed post disaster recovery plans.

Post-Disaster Recovery Ordinance

Post disaster recovery ordinances are often produced in conjunction with post disaster recovery plans. The ordinances are enacted after a hazard event in order to reduce future damages and mitigate repetitive loss.

The Villages of Malverne and Valley Stream have reported that they have adopted post disaster recovery ordinances.

Real Estate Disclosure Ordinance

A real estate disclosure ordinance requires individuals selling real estate to inform potential buyers of the hazards to which the property and/or structure is vulnerable prior to the sale. Such a requirement ensures that the new property owner is aware of the hazards to which the property is at risk of damage.

The Villages of Atlantic Beach, Bayville, and Centre Island have reported that they have adopted real estate disclosure ordinances.

Administrative and Technical Capability

The ability of a local government to develop and implement mitigation projects, policies, and programs is contingent upon its staff and resources. Administrative capability is determined by evaluating whether there are an adequate number of personnel to complete mitigation activities. Similarly, technical capability can be evaluated by assessing the level of knowledge and technical expertise of local government employees, such as personnel skilled in surveying and Geographic Information Systems.

The following table provides a summary of the administrative and technical capabilities currently in place in each participating jurisdiction, as reported by Planning Group Members who submitted completed Capability Assessment Questionnaires. The checkmark (√) indicates that the local government reported maintaining a staff member for the given function.

Administrative and Technical Capability Inventory										
Jurisdiction	Planner(s) or engineer(s) with knowledge of land development and management practices	Engineer(s) or professional(s) trained in construction practices related to buildings and/or infrastructure	Planner(s) or engineer(s) with an understanding of natural and/or human caused hazards	Floodplain manager	Surveyors	Staff with education or expertise to assess the community's vulnerability to hazards	Personnel skilled in GIS and/or HAZUS	Scientists familiar with the hazards of the community	Emergency Manager	Grant writers
Atlantic Beach	√	√	√	√	√	√			√	√
Bayville		√		√		√			√	√
Centre Island	√	√	√			√			√	√
Flower Hill									√	√
Great Neck Plaza	√	√	√			√	√	√	√	√
Lawrence		√	√	√			√		√	
Malverne	√	√	√			√			√	√
Oyster Bay	√	√	√	√	√	√	√		√	√
Roslyn	√	√	√	√		√	√		√	√
Valley Stream	√	√	√		√			√		
Other Participants										
Albertson Fire Co.						√			√	√
Great Neck S.D.		√	√			√				
Oyster Bay Cove Police Department	√	√	√	√	√	√	√	√	√	√

Fiscal Capability

The ability of a local government to implement mitigation activities is also associated with the funding available for policies and projects. Funding for such initiatives is often locally based revenue and financing, as well as outside grants. Costs associated with mitigation activities range from staffing and administrative costs to the actual cost of the mitigation project.

The following table provides a summary of the fiscal capabilities currently being utilized in each participating jurisdiction, as reported by Planning Group Members who submitted completed Capability Assessment Questionnaires. The checkmark (√) indicates that the financial resource was reported as available in the local jurisdiction for mitigation purposes.

**Table 45
Fiscal Capability Inventory**

Jurisdiction	Community Development Block Grants (CDBG)	Capital Improvements Project Funding	Authority to Levy Taxes for Specific Purposes	Fees for Water, Sewer, Gas, or Electric Service	Impact Fees for Homebuyers or Developers for New Developments/Homes	Incur Debt through General Obligation Funds	Incur Debt through Special Tax and Revenue Bonds	Incur Debt through Private Activity Bonds	Withhold Spending in Hazard-Prone Areas	Other
Atlantic Beach		√	√		√	√	√			
Bayville	√	√	√	√	√	√	√			
Centre Island		√				√				
Flower Hill		√	√							
Great Neck Plaza	√	√	√	√		√	√	√	√	√
Lawrence		√	√	√		√				
Malverne	√	√	√			√				
Oyster Bay	√	√	√			√	√			
Roslyn		√	√	√	√	√	√	√		
Valley Stream			√		√	√	√			
Other Participants										
Albertson Fire Co.		√								
Great Neck S.D.		√								
Oyster Bay Cove Police Department		√	√		√	√				

Community Capabilities Worksheet Example

Community: Village XYZ

Identify which of the following capabilities are in place in your community and assess how they are, or could be relevant to hazard mitigation. **Describe how each of these capabilities can be expanded and improved to reduce risk.** Add rows as needed.

Plans	Does the plan address hazards? Does the plan identify projects to include in the mitigation strategy? Can the plan be used to implement mitigation actions?
<i>Capital Improvements Plan</i>	<ul style="list-style-type: none"> -Identifies culvert enlargements to address local flooding problems, which could be included in the mitigation strategy. -Mitigation Action#12 – “Retrofits to the Emergency Operations Center” can be added to next year’s Capital Improvements Plan so that local funding is allocated for it (which can be used as the local match)
<i>Comprehensive Plan</i>	<ul style="list-style-type: none"> -Identifies floodplains and other hazard areas not suitable for future development, and directs future growth and density to other areas. -The plan will be updated spring 2014, and will incorporate any updated risk findings. In addition, it will identify areas suitable for land acquisition.
Policies/ Ordinances	Are codes adequately enforced (version /score)? Is the ordinance an effective measure for reducing hazard impacts? Is the ordinance adequately administered and enforced?
<i>Floodplain ordinance</i>	<i>The ordinance meets the minimum NFIP standards, and new development is adequately protected from flooding. Enforcement for existing development is an issue because of lack of trained staff</i>
<i>Unified Development Ordinance</i>	<i>The ordinance can add a stipulation for new mobile home parks to construct a safe room</i>
Programs	Describe program and how relates to disaster resilience and mitigation? Could the program help implement future mitigation activities?
<i>Storm drainage systems maintenance program</i>	<ul style="list-style-type: none"> -Proper maintenance of storm drainage systems prevents flooding problems -Scheduling of regular cleaning of debris right before heavy summer rains can help with Mitigation Goal #5: Prevent flooding in downtown
<i>Annual Village Fair</i>	<ul style="list-style-type: none"> -Village booth has flyers about “what to do during a disaster”. -Information on mitigation techniques (construction practices) can be disseminated

CAPABILITIES AND RESOURCES

Studies / Reports	Describe study/report Has it been used to assess/mitigate risk?
<i>Stony Creek Hydrological and Hydraulic study</i>	<i>The report provides 10-year, 50-year and 100-year flood elevations for Stony Creek. It provides flood hazard data for the Benefit-Cost Analysis of acquisition of repetitive loss properties</i>
<i>USGS Factsheet – Land Subsidence in the US</i>	<i>The report contains case studies where excessive ground-water pumping can lead to subsidence and eventually more flooding. The Water and Sanitation Department is considering regulations about limiting ground-water pumping</i>
Staff (indicate whether full time or part time)	Is staffing adequate to enforce regulations? Is staff trained on hazards and mitigation? Is coordination between agencies and staff effective?
<i>GIS coordinator (part-time)</i>	<ul style="list-style-type: none"> <i>-No hazard mitigation experience and cannot run HAZUS which can help generate more interest in mitigation through scenarios</i> <i>-Enhance HAZUS capabilities by arranging training for GIS Coordinator</i>
<i>Planner (full-time)</i>	<ul style="list-style-type: none"> <i>-No hazard mitigation training</i> <i>-Allow planner to take online course on Hazard Mitigation Planning and attend next Association of State Floodplain Managers (ASFPM) conference</i>

Community Capabilities Worksheet

Community: _____

Identify which of the following capabilities are in place in your community and assess how they are, or could be relevant to hazard mitigation. *Describe how each of these capabilities can be expanded and improved to reduce risk.* Add rows as needed.

Plans	Does the plan address hazards? Does the plan identify projects to include in the mitigation strategy? Can the plan be used to implement mitigation actions?
Policies/ Ordinances	Are codes adequately enforced (version /score)? Is the ordinance an effective measure for reducing hazard impacts? Is the ordinance adequately administered and enforced?
Programs	Describe program and how relates to disaster resilience and mitigation? Could the program help implement future mitigation activities?
Studies / Reports	Describe study/report Has it been used to assess/mitigate risk?
Staff (indicate whether full time or part time)	Is staffing adequate to enforce regulations? Is staff trained on hazards and mitigation? Is coordination between agencies and staff effective?