

Muddy Creek FEMA Grant

Overview

The Metropolitan Sewer District of Greater Cincinnati (MSD) has been awarded a \$4 million hazard mitigation grant from the Federal Emergency Management Agency (FEMA) and the Ohio Emergency Management Agency (OEMA) to address flooding along Muddy Creek Road in the City of Cincinnati and Green Township.

The project will provide space for passive, green solutions such as wetland and floodplain restoration and vegetated open spaces for more effective stormwater management in a combined sewer area.

Muddy Creek

Drainage within the historical Muddy Creek valley was significantly modified in the 1950s when the Muddy Creek was put into a large diameter sewer to convey stormwater and sanitary sewage. As evident during wet weather when the sewer is overloaded, sewage comes out of the manholes and flows into areas where the creek once flowed.

Due to the piping of Muddy Creek into the sewer, the homes along Muddy Creek Road have been prone to extensive overland flooding and chronic sewer backups for years.

The area is recognized by FEMA as an equivalent 100-year floodplain of Muddy Creek. A floodplain is the flat or nearly flat land located adjacent to a stream or river. The 100-year floodplain is the level of flood water expected to be equaled or exceeded every 100 years on average, with a 1% chance of being equaled or exceeded in a single year.

Muddy Creek FEMA Grant Project

In 2019, MSD applied for FEMA flood hazard mitigation assistance to proactively address flooding along Muddy Creek Road. Prior to applying, MSD contacted property owners within Muddy Creek's 100-year floodplain to determine their interest in participating should the grant be awarded.

The \$4 million grant was awarded in early 2021. The grant monies along with the \$570,000 local cost share from MSD will be used to purchase and demolish up to 35 flood-prone properties along Muddy Creek Road between Glenway Avenue and Westbourne Drive.

The project will reduce risk associated with repetitive losses to human health and welfare, as well as their associated structures and possessions lost through repetitive flooding.

MSD is working with OEMA on a second grant request for up to 5 properties along Muddy Creek Road.

Muddy Creek Floodprone Property Acquisition Project

Hazard Mitigation Grant Program (HMGP) FEMA-DR-4424-OH

Phase 1 Properties



Hazard Mitigation Grant Process for Property Owners

The grant provides MSD with funds to purchase properties at fair market value, demolish the structures and convert the site to floodway/floodplain open space.

The process is comprised of three main steps for property owners:

- Appraisal of property and all improvements
- Acquisition of the property and all improvements
- Relocation for qualified tenants and gap assistance for qualified owner-occupants

Appraisal Process

Appraisal (Firm to be selected by the end of April)

Property owners will schedule an inspection of their properties with MSD's independent, state-certified appraiser. MSD is currently soliciting proposals for this task and should have a contract in place by the end of April 2021.

Appraisal Visit

The appraisal inspection and interview with the property owner usually lasts about an hour. During the inspection, the property owner is encouraged to accompany the appraiser and present any information regarding improvements to or physical characteristics of the property that may impact the estimated value.

During the inspection, the entire premises - from the basement to the upper floors - will be evaluated. The appraiser will note the condition of the property, including, but not limited to, structural integrity, mechanics, appliances, fixtures, and other amenities that impact value. The cleanliness of the property or any other superficial condition is not taken into account for the appraisal but does enhance the overall appearance of the dwelling.

Appraisal Report

Once the appraiser has visited the property and gathered necessary information, he/she will prepare a thorough appraisal report that includes a fair market estimate of the property's value.

State Appraiser Review

A state appraiser will review the appraisal report submitted by MSD's independent appraiser to ensure accuracy, consistency and equity. After the state appraiser approves the appraisal report and sends it to OEMA, OEMA will forward it to MSD to begin the acquisition process.

Acquisition Process

Offer Letter and Copy of Appraisal Report

MSD will provide the property owner with an offer based on the fair market value estimate, along with a copy of the appraisal report, within 90 days of the appraisal inspection. If a property owner wishes to review the appraisal report, they may view a hard copy of it at MSD per OEMA requirements which restrict MSD from sharing a copy.

Secondary Appraisal

Should a property owner disagree with the amount of the offer, the owner may obtain a second appraisal, at their sole cost. The owner must retain a general state-certified appraiser. The appraisal must depict relevant comparables and be on the standard form for residential appraisals. Once MSD receives the second appraisal from the owner, the first appraisal will be submitted with the second appraisal to the state appraiser for verification.

Offer Letter Acceptance Agreement

If the terms of the offer letter are accepted, the property owner signs an Offer Letter Acceptance Agreement and returns it to MSD within 10 days of receipt of the letter.

The acceptance agreement identifies a number of key conditions:

- The owner provides a list of all liens on the property and understands that proceeds from the sale are first applied to liens.
- The owner provides all documents necessary to transfer and clear title to the property in order to complete the transaction.
- The owner agrees to permanently move from the property at the time of closing.
- The owner understands that fixtures, materials or improvements to the property may not be removed or salvaged at any time.
- The owner understands that funds received from the sale cannot be used to relocate to an identified special flood hazard area or a 100-year floodplain.

Property Possession

At the closing of the transaction, title to the property will be transferred to MSD. At that time, MSD will take immediate possession of the property. MSD will attempt to be flexible with closing dates to accommodate finding replacement housing.

Offer Denial Forms

Property owners who choose to reject the city's offer must sign an Offer Denial Form. This form is a statement indicating the owner wishes to terminate negotiations. Any property owner who elects not to participate in this hazard mitigation grant program will not be eligible for any federal, state or local assistance for damages resulting from a flood event.

Relocation Assistance

Tenants displaced as the result of a FEMA project may receive Uniform Relocation Assistance (URA) up to \$7,200, a move payment. To be eligible, the tenant must be a legal U.S. resident or lawfully in the U.S. and have occupied the premises since April 30, 2020.

Property owners are not eligible for URA because the sale of property is voluntary. However, Non-Uniform Relocation Assistance (Non-URA) may be available for eligible owner-occupied properties.

Need More Information?

For more information contact: **Ms. Gina Wendling, MSD**, at **(513) 557-5944** or email Gina.Wendling@cincinnati-oh.gov.

