

4.0 CAPABILITY ASSESSMENT

4.1 INTRODUCTION

A capability assessment involves an evaluation of Clinton County in regard to its governmental structure, political framework, legal jurisdiction, fiscal status, policies and programs, regulations and ordinances, and resource availability. These factors are evaluated with respect to their strengths and weaknesses in preparing for, responding to and mitigating the effects of the profiled natural hazards. By doing so, the Hazard Mitigation Planning Team can draw reasonable conclusions as to the relative appropriateness of various hazard mitigation action items that may be identified as part of the hazard mitigation strategy. As such, the capability assessment plays an important role in the hazard mitigation planning process.

Within Pennsylvania, no county-level capability assessment would be complete without considering the constituent municipalities. Local municipalities have their own governing body, enforce their own rules and regulations, purchase their own equipment, maintain their own infrastructure, and manage their own resources. In many ways, the County is only as good as the capabilities of its constituent municipalities. As such, this capability assessment does not consider Clinton County as a lone entity, but evaluates it in light of the various characteristics and differences of and between its twenty-nine constituent municipalities. As a result, this document takes a comprehensive look at mitigation strategies within the county without focusing on specific projects currently in place. In this manner, a multi-jurisdictional approach can be achieved by applying a single methodology to multiple hazards.

4.2 INSTITUTIONAL CAPABILITY

Clinton County's twenty-nine constituent municipalities include one city, seven boroughs, and twenty-one townships. Each of these municipalities carries out their daily operations and provides various community services according to their local needs

and limitations. Some of these municipalities have formed cooperative agreements and work jointly with their neighboring municipalities to provide such services as police protection, fire and emergency response, solid waste disposal, recreational opportunities, wastewater treatment, infrastructure maintenance, and water supply management, while others choose to operate on their own. They vary in staff size, resource availability, fiscal status, service provision, constituent population, overall size, and vulnerability to the profiled hazards. In fact, the Capability Assessment Matrix included in the Appendices indicates that eight of the twenty nine municipalities don't even have a local planning commission. As such, it is easy to see why the County's capabilities to deal with hazards are a reflection of the local municipalities.

Generally speaking, the municipalities in the northern part of Clinton County tend to have fewer residents (according to the County's Comprehensive Plan, the north western planning section consists of 8 municipalities, but only accounts for about 9.5% of the County's total population), less staff, and, by default, a more limited supply of available resources than those municipalities in the more urbanized southern part of the County. This is not to say, however, that hazard mitigation is not an important factor in the northern portion of the County. It simply may require a more unified or coordinated approach and/or more efficient utilization of a limited supply of available resources (e.g., financial, technical, and human). For example, West Keating Township in the northern part of the Clinton County, with its resident population of 42 persons, would not be expected, nor would it be appropriate, to engage in hazard mitigation activities on a scale similar to that of the City of Lock Haven, with its resident population of approximately 9,200 persons. Rather, West Keating Township would be expected to engage in hazard mitigation activities according to its local needs and available resources, which may prove to be as valuable to its residents as that of another municipality's hazard mitigation activities.

In addition to the institutional capability of the municipal government structure described above, the County itself is capable of engaging in hazard mitigation activities. The County has its own staff, resources, budget, equipment, and objectives, which may

or may not be similar to those of its constituent municipalities. As such, the County itself has its own capabilities to mitigate the profiled hazards. When partnered with the local municipalities, the state, the federal government, local COGs, watershed groups, environmental groups, or some other entity, the results could be limitless.

4.3 LEGAL CAPABILITY

Within Pennsylvania, municipalities have the authority to govern more restrictively than state and county minimum requirements as long as they are in compliance with all criteria established in the Pennsylvania Municipalities Planning Code and their respective municipal codes. Municipalities can, and typically do, develop their own policies and programs and implement their own rules and regulations to protect and serve their local residents. Local policies and programs are typically identified in a comprehensive plan, implemented via local ordinance, and enforced through the governmental body or its appointee.

Municipalities regulate development via the adoption and enforcement of zoning, subdivision and land development, building code, building permit, floodplain management, and/or storm water management ordinances. Within the development, adoption, and enforcement of these ordinances, there is an opportunity for hazard mitigation in the form of preventive measures. Most notably is the municipal adoption of the National Flood Insurance Program (NFIP) and Pennsylvania Floodplain Management Act (Act 166 of 1978) minimum floodplain management criteria. A municipality must adopt and enforce these minimum criteria to be eligible for participation in the NFIP. As such, municipalities have the option of adopting a single-purpose ordinance or incorporating these provisions into their zoning, subdivision and land development or building code ordinances, thereby mitigating the potential impacts of local flooding in a preventive manner.

The Capability Assessment Matrix included in the Appendices has been prepared to document the County's and its constituent municipalities' existing legal capabilities to mitigate the profiled hazards in a preventive manner. This matrix identifies the municipalities' existing planning documents and makes note of their hazard mitigation potential. Preventive measure hazard mitigation recommendations are based on the information contained in this matrix.

4.4 FISCAL CAPABILITY

Finances can be an important factor in the capability of any jurisdiction to implement hazard mitigation activities. Every jurisdiction, including those in Clinton County, must operate within the constraints of limited financial resources. As such, the key factor in determining fiscal capability is to analyze how tight these constraints are. This could involve a detailed auditing process to tally all revenues and expenditures, or could involve an assessment of existing financial ratings as identified and reported by the PA DCED. For the purposes of this planning program, the Hazard Mitigation Planning Team elected to use the existing financial ratings reported by the PA DCED as a base indicator of fiscal capability at the municipal level. This information is included in the Appendices.

The Pennsylvania Municipalities Financial Recovery Act (Act 47 of 1987) identified fiscally distressed municipalities based on established criteria, and authorized the PA DCED to assist in developing financial recovery plans in these areas. Analysis of the Act 47 Fiscally Distressed Municipality list indicated that none of Clinton County's municipalities were identified as being fiscally distressed according to the established rating criteria. However, in accordance with Section 1303 of the Pennsylvania Job Enhancement Act (73 P.S. Section 400.1303) the PA DCED designated several Clinton County municipalities as Distressed Communities based on their ability to meet at least three of the following five criteria.

- Twenty percent or more of the population with incomes below the poverty level as reported in the latest decennial census.
- Fifteen percent or more of the labor force is unemployed as reported in the census or as reported in a survey done by the municipality.
- Five percent or more loss of population as reported in the census.
- Significant business vacancy rate within the area, either in gross footage or acreage or in the number of business or industrial buildings.
- Significant reduction in employment.

Those Clinton County municipalities that were designated as distressed communities under the Job Enhancement Act include:

- Allison Township,
- Avis Borough,
- Bald Eagle Township,
- Beech Creek Borough,
- Beech Creek Township,
- Castanea Township,
- Chapman Township,
- Crawford Township,
- Flemington Borough,
- Greene Township,
- East Keating Township,
- West Keating Township,
- Leidy Township,
- City of Lock Haven,
- Logan Township,
- Loganton Borough,
- Mill Hall Borough,
- Noyes Township,
- Pine Creek Township,
- Renovo Borough,
- South Renovo Borough, and
- Wayne Township.

While this distressed community designation may provide some insight into the fiscal capability of the subject municipalities, it most certainly does not preclude these

municipalities from participating in hazard mitigation activities. Cooperative arrangements, coordinated efforts, and resource efficiency may serve as effective avenues for overcoming fiscal constraints and accomplishing hazard mitigation objectives at the local level.

It is important to remember that finances are not the only factor in determining hazard mitigation capability. In addition, there are numerous partnering opportunities and grant programs available to assist in offsetting the expenses of local hazard mitigation efforts. Thanks to the Pennsylvania Department of Environmental Protection's (PA DEP) Growing Greener grant program there are numerous watershed associations available for municipalities to partner with to accomplish hazard mitigation activities. Within Clinton County, watershed associations have been formed for:

- Kettle Creek,
- Beech Creek, and
- The Sugar Valley section of Fishing Creek

In addition, there are partnering opportunities at the local level with the SRBC, CCOEM, SEDA-COG, and Central Region COG. Grant programs that may be utilized to accomplish hazard mitigation objectives include the PA DCED's Land Use Planning and Technical Assistance (LUPTAP), Shared Municipal Services (SMS), Community Revitalization (CR), and Floodplain Land Use Assistance Programs; the PA DEP's Growing Greener, Act 167 Stormwater Management, Source Water Protection, and Flood Protection Programs; the PA DCNR's Community Conservation Partnership Program; PEMA's Pre-Disaster Mitigation (PDM) Grant and Flood Mitigation Assistance Programs (FMAP); the Pennsylvania Infrastructure Investment Authority's (PennVEST) low interest loan and grant program; and various other federal and state programs.

4.5 POLITICAL CAPABILITY

Political capability refers to a jurisdiction's incentive or willingness to accomplish hazard mitigation objectives. Local decision makers may not rank hazard mitigation as a high priority task if there hasn't been a disaster in recent history or if there are other more immediate political concerns. Unfortunately, there is no better way to get people thinking about hazard mitigation than to have a disaster occur. Responding to and recovering from a disaster event can exhaust local resources, thereby elevating hazard mitigation to the forefront of political agendas. This reactionary effort, while somewhat nominal in value during the aftermath of a disaster event, can go a long way in preparing for and mitigating future events.

Within Clinton County, many long-term residents and business owners remember the devastation that was caused by Tropical Storm Agnes in June 1972. If not the Agnes event, most Clinton County residents can recall the January 1996 flood. Additionally, the effects of Tropical Depression Ivan in September 2004 are still fresh in the minds of Clinton County residents. Given these relatively recent flood events and the severity of the 1972 Agnes event, the political capability of Clinton County should not be an issue when planning for and implementing local hazard mitigation activities, as long as the activities are generally accepted by the public and perceived to be relatively cost-beneficial.

4.6 TECHNICAL CAPABILITY

Technical capability refers to a jurisdiction's availability of resources (other than financial) and knowledge/skill level to accomplish hazard mitigation objectives. Necessary resources typically include personnel (paid or volunteer), equipment/machinery, and materials/supplies. Without the necessary resources, all other measurements of a jurisdiction's capability (i.e., institutional, legal, fiscal, and political) to accomplish hazard mitigation are moot. Conversely, resource availability is moot if the jurisdiction does not have the knowledge/skill level necessary to effectively accomplish the designated hazard mitigation objective. As such, technical capability

(i.e., resource availability and knowledge/skill level) is an important factor when analyzing a jurisdiction's ability to accomplish hazard mitigation objectives.

Within Clinton County, technical capability varies widely between the municipalities. Even neighboring municipalities may exhibit extreme variations in technical capability. Generally speaking, the more financial resources a municipality has, the more technically capable it will be from a resource availability perspective. This is not necessarily the case, however, when analyzing technical capability from a knowledge/skill level perspective. As such, technical capability must be analyzed by each individual municipality prior to implementing any hazard mitigation activity. It is important to note however, that much like fiscal capability, shortfalls in technical capability may be overcome by cooperative arrangements, coordinated efforts, and/or resource efficiency.