

CDBG-MIT Action Plan Amendment 1 Public Hearing



- You need to register if you would like to make a comment
 - <https://www.surveymonkey.com/r/TXGLO>
- Please ensure that the name you registered with to speak is the same as your name on zoom. We will use that to identify and unmute you at the appropriate time.
- Keep remarks succinct and respectful
- Any obscene comments or images could result in your removal from the meeting
- If you are experiencing any technical difficulties, please call:
512-696-9219



Texas General Land Office

Community Development and Revitalization

"The GLO stands ready to help our state maximize the use of this mitigation funding to build stronger and more resilient communities."

~ George P. Bush, Commissioner

Public Comments



- To sign up to speak during the public hearing, please sign up here: <https://www.surveymonkey.com/r/TXGLO>
- Written comments will be accepted until **5:00 p.m. on September 29, 2021**
 - cdr@recovery.texas.gov
 - P.O. Box 12873 Austin, TX 78711-2873
 - Fax: 512-475-5150

State of Texas CDBG Mitigation (CDBG-MIT) Action Plan Amendment 1: Public Hearing – September 21, 2021



Hearing Agenda:

- Status of CDBG-MIT Programs
- Additional CDBG-MIT Funds for 2018 South Texas Floods Areas
- Amendment 1 Changes
- Public Comment

CDBG-MIT vs. CDBG-DR



CDBG-MIT

- Does not require a “tie-back” to the specific qualified disaster
- Addresses the current and future risks
- At least 50% of funds must address mitigation needs in HUD Most Impacted and Distressed (MID) areas
- At least 50% of all funds must benefit low-and moderate- income (LMI) persons

CDBG-DR

- Requires a “tie-back” to the specific qualified disaster
- Addresses unmet needs that contribute to the long-term recovery and restoration of housing
- At least 80% of funds must address unmet needs in HUD MID areas
- At least 70% of all funds must benefit LMI persons

Mitigation Competitions Results



2015 Floods Mitigation Competition

- Full funding for 4 projects approved
- \$31,426,781 in total awards

2016 Floods Mitigation Competition

- Full funding for 21 projects approved
- \$135,462,438 in total awards

Hurricane Harvey Mitigation Competition

- Full funding for 81 projects approved
- \$975,704,817.11 in total awards

100% of Awarded Projects Met the Low- and Moderate- Income (LMI) HUD National Objective

Regional Mitigation Program (COG MODs)



- GLO developed Method of Distribution (MOD) guidance and forms.
- GLO has established recurring meetings with Harvey Impacted Councils of Governments (COGs).
- Anticipate initiation of COG MOD process this Fall 2021 and completion in Spring 2022.
- Be on the lookout for notifications of public planning meetings from your local COGs.

Other Mitigation Programs



Hazard Mitigation Grant Program (Supplemental)

- Awarded 13 projects
- Additional project eligibility reviews underway
- Projects are located in the Hurricane Harvey impacted counties
- Projects must meet the HUD LMI National Objective

Coastal Resilience Program

- Awarded 2 Projects
- Total: \$20,459,731
- Port Lavaca Living Shoreline (Calhoun County)
- Palacios Shoreline Revitalization Project (Matagorda County)
- Projects must meet the HUD LMI National Objective

Housing Mitigation Programs



Housing Supplemental Program

- 38 Homes Reconstructed
- 24 Homes Under Construction
- 64 Homes Approved to Start Construction
- Approximately 900 Applications under review
- Over \$5 million expended

Resilient Home Program

- Program development underway
- Program projected to reconstruct about 300 homes

Hazard Mitigation Programs



Local Hazard Mitigation Plans Program

- Application intake began on July 28, 2021.
- Eligibility is first come, first serve until July 2027 or until funding is exhausted, whichever is first.
- More program information available: <https://recovery.texas.gov/mitigation/lhmpp.html>

Enhanced State of Texas Mitigation Plan

- CDBG-MIT funds have been provided to TDEM for the development of the Enhanced State Mitigation Plan.

Regional and State Planning



Lower Rio Grande Valley Regional Watershed Study

- Reduce disaster impacts and increase community resiliency by evaluating mitigation and abatement strategies in the region.
- Cameron, Hidalgo, Starr and Willacy Counties
- \$10 million

2023 Texas Coastal Resiliency Master Plan

- Targets potential coastal hazards by proposing specific projects that identify opportunities to improve the Texas coast.
- \$2 million

Mitigation Action Plan Updates Additional CDBG-MIT Funds: 2018 South Texas Floods



- Federal Register Notice (86 FR 561)
 - Published January 6, 2021
- Texas Allocation: \$4,652,000
- 3 Texas counties eligible:
 - HUD MID: Hidalgo County (50% of funds)
 - State MID: Jim Wells and Cameron Counties

Federal Register / Vol. 86, No. 3 / Wednesday, January 6, 2021 / Notices 561

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
[Docket No. FR-6239-N-01]

Allocations, Common Application, Waivers, and Alternative Requirements for Community Development Block Grant Disaster Recovery Grantees (CDBG Mitigation)

AGENCY: Office of the Assistant Secretary for Community Planning and Development, HUD.

ACTION: Notice.

SUMMARY: This notice allocates over \$186 million in Community Development Block Grant Mitigation (CDBG-MIT) funds to grantees recovering from qualifying 2018 disasters. Funds allocated by this notice were made available by the Additional Supplemental Appropriations for Disaster Relief Act, 2019. This notice describes grant requirements and procedures, including waivers and alternative requirements, applicable to CDBG-MIT funds only. Funds allocated pursuant to this notice shall be subject only to the provisions of this notice and the applicable prior notices, unless otherwise provided herein. This notice also clarifies the applicability of certain previous waivers and alternative requirements provided for CDBG-MIT grantees.

DATES: *Applicability Date:* January 11, 2021.

FOR FURTHER INFORMATION CONTACT: Jessie Handforth Kome, Director, Office of Block Grant Assistance, Department of Housing and Urban Development, 451 7th Street SW, Room 7282, Washington, DC 20410, telephone number 202-708-3587. Persons with hearing or speech impairments may access this number via TTY by calling the Federal Information Relay Service at 800-877-8339. Facsimile inquiries may be sent to Ms. Kome at 202-708-0033. (Except for the "800" number, these telephone numbers are not toll-free). Email inquiries may be sent to disaster_recovery@hud.gov.

SUPPLEMENTARY INFORMATION:

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I. Allocations

II. Use of CDBG-MIT Funds

A. Action Plan, Substantial Amendments, and Amendments for Covered Projects

B. Most Impacted and Distressed Areas

III. Overview of Grant Process

A. Action Plan Process for New CDBG-MIT Grantees Under the Appropriations Act (Pub. L. 116-20)

B. Substantial Action Plan Amendment Process for Existing Grantees Under Prior Appropriations (Pub. L. 115-123)

IV. Applicable Rules, Statutes, Waivers, and Alternative Requirements

V. Duration of Funding

VI. Catalog of Federal Domestic Assistance

VII. Finding of No Significant Impact

I. Allocations

The Additional Supplemental Appropriations for Disaster Relief Act, 2019 (Pub. L. 116-20, approved June 6, 2019) (Appropriations Act) made \$2,431,000,000 in Community Development Block Grant disaster recovery (CDBG-DR) funds available for major disasters occurring in 2017, 2018, or 2019, of which \$431,000,000 was for grantees that received funds in response to disasters occurring in 2017. On January 27, 2020, HUD allocated \$2,153,928,000 in CDBG-DR funds in accordance with the Appropriations Act, to address unmet disaster recovery needs through activities authorized under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) (HCDA) related to disaster relief, long term recovery, restoration of infrastructure and housing, economic revitalization, and mitigation in the "most impacted and distressed" (MID) areas resulting from a qualifying major disaster in 2018 and 2019, which included the \$431,000,000 for unmet infrastructure needs for 2017 disasters. In a notice published concurrently with this notice, HUD has allocated an additional \$85,291,000 of CDBG-DR funds from the Appropriations Act for remaining unmet needs for disasters occurring in 2018 and 2019. Of amounts made available for 2018 and 2019 disasters, the Appropriations Act requires that HUD first allocate funds to address unmet disaster recovery needs for 2018 and 2019 disasters. Any funds remaining after addressing unmet disaster recovery needs for 2018 and 2019 disasters must be allocated for mitigation activities in the MID areas resulting from a major disaster that occurred in 2018, in an amount proportional to the amount of funds each grantee received from all CDBG-DR allocations for 2018 disasters (including allocations of funds made available by Pub. L. 115-254). HUD has determined that its CDBG-DR allocations pursuant to the Appropriations Act are sufficient to address unmet disaster recovery needs in MID areas arising from 2018 and 2019 disasters. Therefore, this notice allocates the remaining \$186,781,000 in funds made available in the Appropriations Act as CDBG-MIT funds to grantees recovering from qualifying 2018 disasters. HUD described the grant requirements and procedures, including waivers and alternative requirements applicable to CDBG-MIT funds, for CDBG-MIT grantees in the following Federal Register notices (collectively, the "Prior Notices"):

- 84 FR 45838, published August 30, 2019 (the "Main CDBG-MIT Notice"); and
- 85 FR 60821, published September 28, 2020 (the "2020 Omni Notice").

CDBG-MIT funds allocated in the Prior Notices are made available by the Further Additional Supplemental Appropriations for Disaster Relief Requirements Act, 2018 (Pub. L. 115-123). Pursuant to that appropriation, HUD allocated \$6.875 billion in CDBG-MIT funds in the Main CDBG-MIT Notice to grantees recovering from a qualifying 2015, 2016, and 2017 disaster for mitigation activities. In the Main CDBG-MIT Notice, HUD recognized that CDBG-MIT funds are to be used for distinctly different purposes than CDBG-DR funds. In that notice, HUD defined "mitigation activities" to mean those activities that increase resilience to disasters and reduce or eliminate the long-term risk of loss of life, injury, damage to and loss of property, and suffering and hardship, by lessening the impact of future disasters. The nature of programs and projects that are likely to be funded require all CDBG-MIT grantees and their subrecipients to strengthen their program management capacity, financial management, and internal controls. The Main CDBG-MIT Notice also states the Department's intent to establish special grant conditions for individual CDBG-MIT grants based upon the risks posed by the grantee, including risks related to the grantee's capacity to carry out the specific programs and projects proposed in its action plan. These conditions are designed to provide additional assurances that oversight of CDBG-MIT funds addresses grantee-specific risks, such as the potential for waste, fraud, and abuse, or the potential failure to effectively operate and maintain mitigation projects. This notice imposes the requirements of the Prior Notices as amended by provisions in this notice or by subsequent notices, to the CDBG-MIT grants allocated by this notice.¹ The requirements of the Appropriations Act apply in lieu of the requirements of Public Law 115-123, which is referenced in the Prior Notices. The amount of CDBG-MIT funding grantees must expend to mitigate risks within the HUD-identified MID areas is listed in

¹ This notice is only applicable to grantees receiving a CDBG-MIT grant under Public Law 116-20 in response to a 2018 disaster.

Mitigation Action Plan Updates

2015 and 2016 Floods State Mitigation Competition Updates



- Unutilized funds will be reallocated to the Regional and State Planning Program
- 2016 Floods Mitigation Competition budget increased to Allocation increased to \$149,296,701.36
- The GLO may offer partial awards to the next highest scoring project applications in the HUD MID competition and State MID competition with certain requirements.

Mitigation Action Plan Updates

Hurricane Harvey State Mitigation Competition Updates



- Remove future round(s) of the Mitigation Competition
 - Allocation decreased from \$2.144 billion to \$975,704,817.11
- Any remaining funds from Round 1 will be reallocated to the Regional Mitigation Program.
- The GLO may offer partial awards to the next highest scoring project applications in the HUD MID competition and State MID competition with certain requirements.

2018 South Texas Floods State Mitigation Competition



Allocation Amount: \$4,047,240

- HUD MID Competition Amount: \$2,023,620
- State MID Competition Amount: \$2,023,620

Award Amount:

- Maximum Amount: \$1,000,000
- Minimum Amount: \$250,000

Eligible Applicants:

- Units of local government (cities and counties)
- Indian Tribes
- Councils of Governments for projects within 2018 South Texas Floods eligible areas

Eligible Activities:

- Infrastructure for hazard mitigation
- Buyouts and acquisition

2018 South Texas Floods State Mitigation Competition Scoring Criteria



HUD and State MID Competitions Scoring Criteria:

- County Composite Disaster Index – **10** points possible
- Social Vulnerability Index – **10** points possible
- Per Capita Market Value – **10** points possible
- LMI National Objective – **20** points possible
- Project Identified in Local Adopted Plan – **5** points possible
- Management Capacity – **15** points possible
- Project Impact – **25** points possible
- Leverage – **5** points possible
- Tie-breaker: Higher Poverty Rate

Applications that do not score a minimum of 65 points will only be considered after all applications scoring greater than this amount have been funded

Harris County Mitigation Method of Distribution (MOD)



Allocation Amount: \$750,000,000

Harris County will develop and facilitate a County MOD:

- Establish objective replicable criteria for allocation of funds to eligible entities or activities
- Conduct a minimum of two (2) public hearings prior to finalizing the MOD and after the publication of this amendment by the GLO
- One (1) public hearing shall be a “Public Planning Meeting
- Ensure a public comment period of at least 15 days

• **Eligible entities:**

- Harris County
- Cities and towns within Harris County
- Special purpose districts

• **Eligible Activities:**

- Infrastructure for hazard mitigation
- Buyouts and acquisition
- Planning activities within a 5 percent cap (\$37.5 million)

- At least 50 percent of Harris County Mitigation MOD funds must meet the HUD LMI National Objective

Regional Mitigation Program (COG MOD) Program Updates



- Allocation increased to \$1,166,997,000 from \$500,000,000
- Council of Governments (COGs) added as an eligible entity
- COGs may request to add additional eligible entities, which may include:
 - State agencies
 - Special purpose districts
 - Port Authorities
 - River Authorities
 - Eligible entities located in the 2015 or 2016 CDBG-MIT Counties

Regional Mitigation Program (COG MOD) Allocation Updates



Region	Previous Allocation	HUD MID Areas	State MID Areas	Total Allocation
AACOG	\$12,805,000	\$-	\$29,888,000	\$29,888,000
BVCOG	\$10,729,000	\$-	\$25,041,000	\$25,041,000
CAPCOG	\$22,388,000	\$25,125,000	\$27,128,000	\$52,253,000
CBCOG	\$76,927,000	\$149,509,000	\$30,038,000	\$179,547,000
CTCOG	\$2,900,000	\$-	\$6,769,000	\$6,769,000
DETCOG	\$69,213,000	\$127,970,000	\$33,572,000	\$161,542,000
GCRPC	\$34,412,000	\$42,649,000	\$37,668,000	\$80,317,000
H-GAC	\$209,410,000	\$445,466,000	\$43,296,000	\$488,762,000
SETRPC	\$61,216,000	\$142,878,000	\$-	\$142,878,000
Total	\$500,000,000	\$933,597,000	\$233,400,000	\$1,166,997,000

Additional Program Updates



Hazard Mitigation Grant Program (HMGP) Supplemental

- Allocation amount decreased to \$100,000,000

Coastal Resiliency Program

- Allocation amount decreased to \$20,459,731

Regional and State Planning

- Allocation decreased to \$115,091,250

Administrative Funds

- Allocation increased to \$215,092,050

Public Comments



Oral

- 3 Minute Limit
- Please state your name and affiliation (if applicable)

Written

- Written comments will be accepted until **5:00 p.m. on September 29, 2021**
 - cdr@recovery.texas.gov
 - P.O. Box 12873 Austin, TX 78711-2873
 - Fax: 512-475-5150



Thank you

Contact GLO-CDR at

1-844-893-8937

cdr@recovery.texas.gov