



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-7000

OFFICE OF THE ASSISTANT SECRETARY
FOR COMMUNITY PLANNING AND DEVELOPMENT

JUN 2 2017

Ms. Anne Idsal
Deputy Land Commissioner
Texas General Land Office
State of Texas
1700 North Congress Street, Suite 935
Austin, TX 78701

Dear Ms. Idsal:

The Department has approved the State of Texas's Action Plan for Community Development Block Grant disaster recovery (CDBG-DR) funds appropriated under the Continuing Appropriations Acts (Public Law 114-223 and Public Law 114-245), which provided a combined \$222,264,000 to the State for long-term recovery from major storms and flooding events that occurred in 2016. Of this amount, HUD is making available \$11,113,200 in administrative funds and \$22,264,400 for planning funds. Of the remaining funds, \$149,628,127 for the five HUD-identified "most impacted and distressed" areas ((Harris, Newton, Montgomery, Fort Bend and Brazoria Counties) and \$37,407,030 for the remaining 66 eligible counties, and \$1,889,243 for State project delivery costs in these areas will be made available upon HUD's approval of the State's substantial action plan amendment describing the method of distribution (MOD). As a reminder, at least 80 percent of the total award amount must be spent within the five "most impacted and distressed" areas as identified in the January 18, 2017, *Federal Register* Notice (82 FR 5591) and the November 21, 2016, *Federal Register* Notice (81 FR 83254).

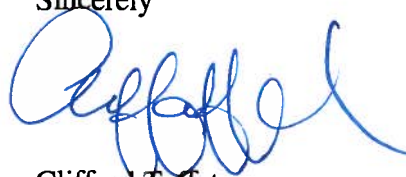
Additionally, the November 21, 2016, *Federal Register* Notice requires grantees to primarily consider and address unmet housing needs; however, the Notice allows grantees to allocate funds to address unmet economic revitalization and infrastructure needs. In doing so, grantees must identify how any remaining unmet housing needs will be addressed or how its economic revitalization or infrastructure activities will contribute to the long-term recovery and restoration of housing in the "most impacted and distressed" areas.

The State identified significant remaining unmet housing needs. The Department would like to reiterate the requirement to ensure allocation determinations between housing and non-housing projects in the HUD-identified "most impacted and distressed counties" align with the Needs Assessment for those areas, as required by the November 21, 2016, *Federal Register* Notice. The Department understands that the State intends to identify housing and non-housing projects, both in the State competition and the MODs for the HUD-identified "most impacted and distressed" areas. HUD will review the State's method of distribution and action plan amendment to ensure that the State's county allocations align with unmet needs.

Please note, funds received under this appropriation must be used for the necessary expenses related to disaster relief, long-term recovery and restoration of infrastructure, housing, and revitalization in the “most impacted and distressed” areas resulting from a major disaster declared in 2016. The State may implement the waivers and alternative requirements published in the November 21, 2016, *Federal Register* Notice. These waivers will help the State carry out its disaster recovery programs by streamlining the application process, enabling a quicker program launch, and ensuring accountability.

Upon final approval of the State’s certifications and risk assessment documentation packages, the Department will provide the grant agreement to obligate these funds. If you have any questions, please contact Mr. Stanley Gimont, Deputy Assistant Secretary for Grants Programs (Acting), at (202) 708-2111.

Sincerely



Clifford Taffet
General Deputy Assistant Secretary



State of Texas Plan for Disaster Recovery

U.S. Department of Housing and Urban Development (HUD)
Section 145 of the Continuing Appropriations Act, 2017
(Pub. L. 114-223, approved September 29, 2016) & Section 101 of the
Furthering Continuing and Security Assistance Appropriations Act, 2017
(division A of Pub. L. 114-254, approved December 10, 2016)

March 10, 2017

Prepared by

Texas General Land Office

Community Development and Revitalization Program

1700 Congress Avenue

Austin, Texas

844.422.2692



Flood Damage in the Houston Region on June 3, 2016 – Photo Courtesy of [Twitter.com/GregAbbott_TX](https://twitter.com/GregAbbott_TX)

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I. Executive Summary

Over the past two years, Texas has experienced major disaster events — including numerous floods, tornadoes, and wildfires — that have produced six disaster declarations spread over 160 of the state’s 254 counties. The Texas counties impacted represent 76 percent of the Texas population, or 20.9 million people — a population greater than that of 48 states. In particular, the recent 2016 events were devastating, killing 29 Texans and causing significantly more public and private property damage due to the compounding effects of the 2015 floods.

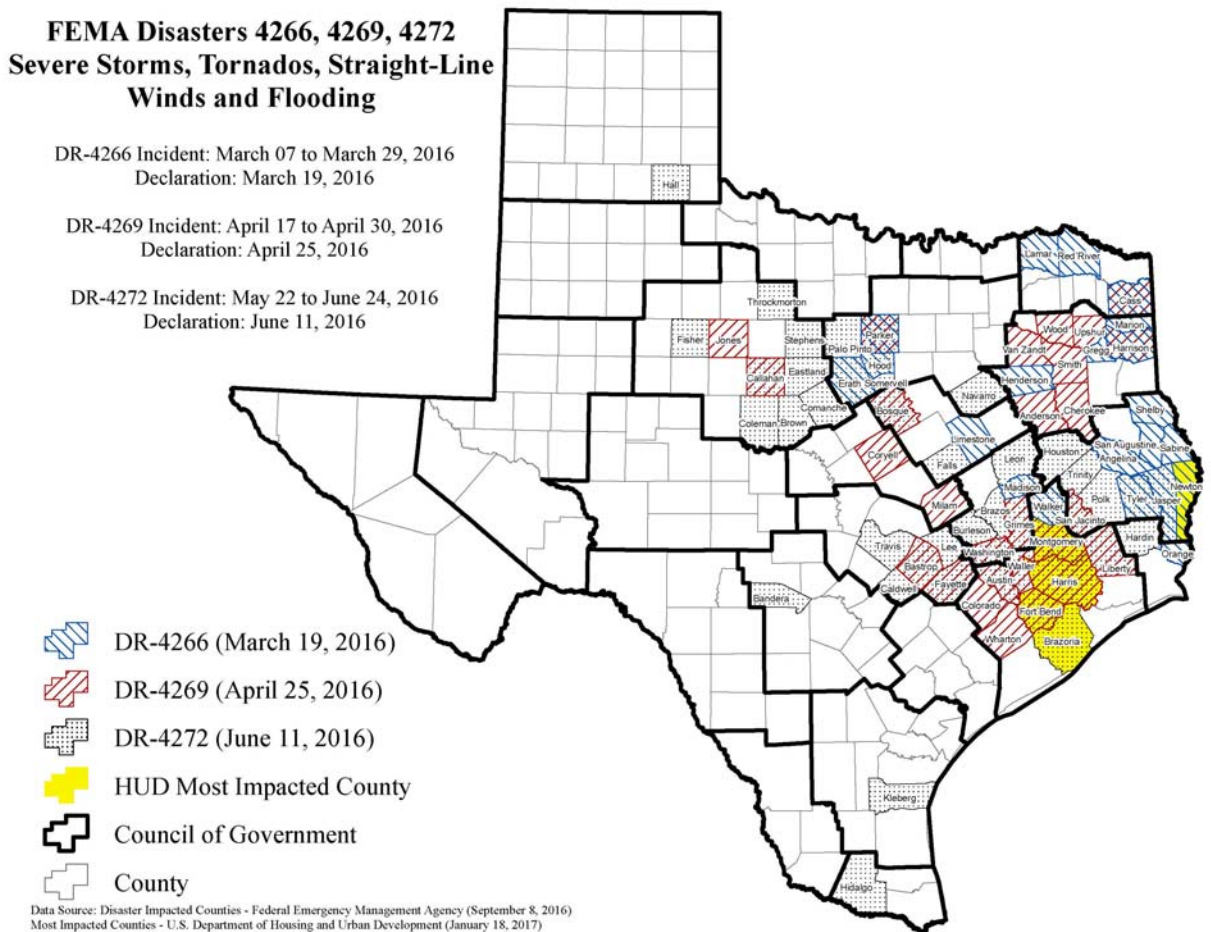


Figure 1: DR-4266, 4269 and DR-4272 Disaster Declarations

The Texas General Land Office estimates a combined loss of over \$2 billion in unmet long-term recovery need, given the impact of the multiple disasters suffered by Texas in both 2015 and

2016. Impacts tied to business interruption, economic losses, unemployment, property tax revenue decreases, agricultural losses, and other measures that are difficult to quantify, are not considered when allocations are made. The 2016 flooding and devastation spanning from March to June resulted in three qualifying events for appropriation under Public Laws 114-223 and 114-254. These multiple events caused severe damage across almost half the State, or 134,000 square miles — almost double the size of Louisiana and West Virginia combined.



Deweyville Elementary Flooding – photo from Deweyville ISD Facebook page

The torrential rain event in March (DR-4266) was a devastating blow to many Texas communities still trying to recover from the impact of the major 2015 floods. The heavy continuous rainfall on nearly saturated ground created excessive downstream flooding and record-breaking crests for rivers. The record-setting devastation destroyed agricultural areas and homes, and resulted in a major Interstate 10 closure along the Texas-Louisiana border that created lengthy delays for individuals, as well as major disruptions in the delivery of goods and services.¹ The extensive flooding effectively cut off access to entire communities. Thousands of

¹ Disaster Management Assessment DR-4266 Texas April 2016 FINAL. FEMA – Department of Homeland Security

Texans were forced to evacuate their homes and entire cities required mandatory evacuations. In Orange County, approximately 9,000 residents were evacuated and in Newton County, approximately 3,500 residents were evacuated resulting in long-term sheltering needs for residents trying to recover and rebuild from the devastation. In Deweyville, the elementary school was flooded with over five feet of water creating an estimated \$12 million in damages. The impact to Deweyville resulted in over 600 students out of school for a month and the community without an elementary school.²

The Texas Department of Emergency Management’s Disaster Summary Outline (DSO) estimated that the state’s infrastructure was hard hit, including heavy damage to roads and multiple destroyed bridges. The swift flood waters carrying debris and devastating force left many roads impassable, forcing many closures. Due to the rain occurring upstream, river waters downstream continued to rise following the rain event — creating even more damage and impacting area residents’ ability to return or have access to their homes. The Burr’s Ferry Bridge damage alone was so severe as to require a full closure of the bridge, and subsequent extensive repairs to the bridge’s piers.



Burr’s Ferry Bridge SH 63 over Sabine River – photo by Texas Department of Transportation

On April 17, 2016 (DR-4269) Texas was hit with a sixth catastrophic rain event over a 12-month period, initiating a rare flash flood “emergency warning” by the National Weather Service’s Houston/Galveston Weather Forecast Office. The rare warning criteria was on

² Disaster Management Assessment DR-4266 Texas April 2016 FINAL. FEMA – Department of Homeland Security

target, given the consequences to a highly vulnerable population. The severe flooding greatly affected first responders' abilities to assist residents and, in some instances, even required the rescue of first responders themselves. Parts of Southeast Texas received 10 inches or more of rain during a 24-hour period, with the heaviest rainfall occurring north and west of Houston.³ The devastating floods covered the seven counties. The president approved the governor's Major Disaster Declaration on April 25, 2016, with Amendment #1 issued on May 2, 2016, and Amendment #2 on May 9, 2016.

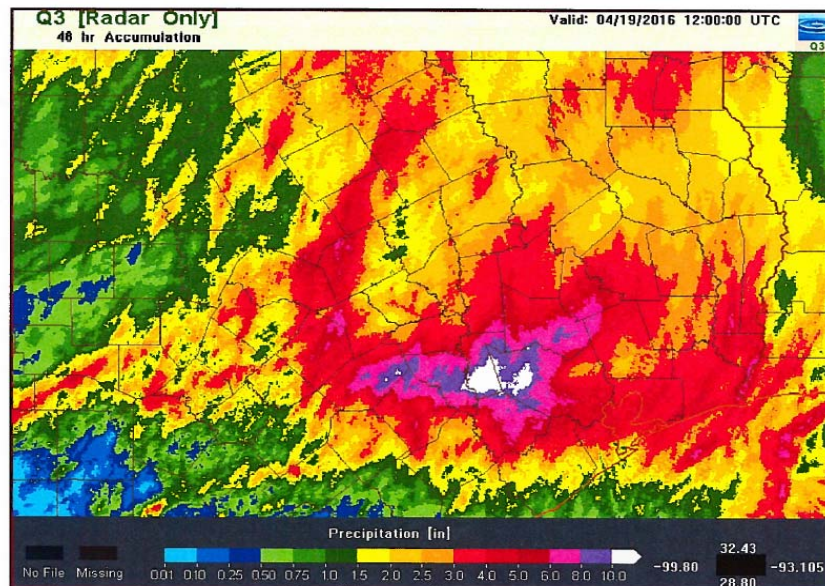


Figure 2: NWS Houston/Galveston 48-hour rainfall estimates for southeast Texas April 18 and 19, 2016

Texas was hit by another intense round of devastating storms in May, a year after the historical 2015 Memorial Day flooding event. The storms occurring between May 26 and mid-June, marking the third catastrophic storm event to impact Texas in 2016; this series of storms resulted in disaster declaration DR-4272. The impact of the storms continued to create devastation as rain fell on saturated grounds in counties still recovering from previous floods. Evacuation and search data provide an insight into the sheer magnitude and regional impact of the storms. Jointly, Texas Task Force 1 and the Texas Military Department made over 1,444 evacuations, 40 rescues, 520 assists, 618 wellness checks, and many victim recoveries. Texas Parks and Wildlife Department recorded 336 evacuations and 78 rescue assists.⁴ Mandatory

³ Disaster Case Management Assessment DR-4269 Texas June 2016 FINAL. FEMA – Department of Homeland Security

⁴ Disaster Case Management Assessment Texas DR-4272 Severe Storms and Flooding August 15, 2016 FEMA – Department of Homeland Security

evacuations were required in many counties, including Bastrop, Brazoria, Fort Bend, Hood, and Parker, along with voluntary evacuations throughout the disaster area.

On May 26 and 27, the Austin area received widespread rain of 6-8 inches, and in a corridor stretching from I-35 in Austin to just east of I-45, over 12 inches of rain was recorded. The evening of May 28 provided more hardships, as the Texas Hill Country received widespread heavy rains of 6-10 inches — leading to flash flooding and critical flood stages for many rivers, including the Frio, Medina, and Guadalupe. Emergency response to the rain event included evacuations at Camp Jellystone and the Frio River.⁵ Rescue efforts continued as a large thunderstorm moved into the Texas Hill Country the evening of May 28; subsequently, record-breaking rainfall totals were noted, as well as rare cresting above flood stage levels of rivers and creeks.

In North Texas, Memorial Day again proved to be devastating. As heavy rains fell, renewed flash flooding necessitated water rescues during overnight hours. In Hood County, 10 inches of rain flooded and shut down many county roads. This dangerous episode of flash flooding claimed the lives of 9 brave soldiers in Fort Hood, as their military vehicle was overwhelmed during a crossing and swept away into Owl Creek.⁶

South Texas was also severely impacted by the storms, as two confirmed EF-1 tornadoes wreaked havoc to homes and infrastructure within the communities. The Houston area alone was hit with as much as eight inches of rain in five hours.

In Fort Bend, the devastation to critical infrastructure includes damage to bridges, roads, and levees due to the continuous flooding along the Brazos River, compounding effects from the 2015 declared disasters. It is estimated that 181 homes were destroyed in the county, with an additional 600 homes experiencing major damage. Overall, the devastation of the storms led HUD to issue a “most impacted” designation for Brazoria, Fort Bend, Harris, Montgomery, and Newton Counties.

⁵ Disaster Case Management Assessment Texas DR-4272 Severe Storms and Flooding August 15, 2016 FEMA-Department of Homeland Security

⁶ Disaster Case Management Assessment Texas DR-4272 Severe Storms and Flooding August 15, 2016 FEMA-Department of Homeland Security

II. Needs Assessment

The state of Texas needs assessment for the 2016 allocation takes into account a comprehensive set of data sources that cover multiple geographies and sectors. The state will be focusing on the variety of data that help provide a comprehensive understanding of the unmet need across Texas in the housing and non-housing sectors. Given the extent of counties impacted by the disasters, a part of the unmet need calculations was determined using data provided by the Texas Division of Emergency Management (TDEM) for all applicants. These data come from the Emergency Management Mission Integrated Environment (EMMIE) database. The total projected cost for damages tied to the 2016 disasters is \$201,341,450. This results in the state’s unmet need from public assistance totaling \$57,885,667 with a resiliency multiplier of 15 percent.

Table 1: TOTAL Unmet Need From Public Assistance (PA)

Disaster	Projected Cost	25% Local Match (Unmet Need)	Resilience Multiplier (15%)	Total Unmet Need
DR-4266	\$29,331,951	\$7,332,988	\$1,099,948	\$8,432,936
DR-4269	\$37,806,554	\$9,451,638	\$1,417,746	\$10,869,384
DR-4272	\$134,202,945	\$33,550,736	\$5,032,610	\$38,583,347
TOTAL	\$201,341,450	\$50,335,363	\$7,550,304	\$57,885,667

Source: TDEM - Emergency Management Mission Integrated Environment (EMMIE) Database Report CMF Projections as of 1/9/17

The data for housing unmet needs comes from the Federal Emergency Management Agency (FEMA) and the National Emergency Management Information System (NEMIS) database. For the three disaster declarations in 2016, the total FEMA Verified Loss (FVL) is \$186,361,160. The state’s unmet need relating to FEMA Individual Assistance (IA) is \$88,131,592 with a resiliency multiplier of 15 percent. The figure for unmet need was calculated by FEMA as being FVL minus all assistance provided through the National Flood Insurance Program (NFIP), FEMA housing assistance, and Small Business Administration (SBA) assistance, as well as other assistance that could be accounted for.

Table 2: TOTAL Unmet Need Relating to Individual Assistance (IA)

Disaster	FEMA Verified Loss (FVL)	Unmet Need	Resilience Multiplier (15%)	Total Unmet Need
DR-4266	\$28,610,533	\$7,044,306	\$1,056,646	\$8,100,952
DR-4269	\$93,125,863	\$43,544,220	\$6,531,633	\$50,075,853
DR-4272	\$64,624,764	\$26,047,641	\$3,907,146	\$29,954,787
TOTAL	\$186,361,160	\$76,636,167	\$11,495,425	\$88,131,592

Source: FEMA Report - FIDA_27843_FSA_TX_GLO as of 1/11/17

The unmet need, as identified by the SBA using the total verified loss of households and businesses, is \$309,254,300 for housing and \$104,720,409 for businesses. These figures also take into consideration a resilience multiplier of 15 percent totaling \$40,337,517 for housing data and \$13,659,184 for business data.

Table 3: TOTAL Unmet Need Relating to SBA Home Data

Disaster	SBA Total Verified Loss (Home Data)	Resilience Multiplier (15%)	Total Unmet Need (Home Data)
DR-4266	\$41,999,811	\$6,299,972	\$48,299,783
DR-4269	\$129,504,744	\$19,425,712	\$148,930,456
DR-4272	\$97,412,228	\$14,611,834	\$112,024,062
TOTAL	\$268,916,783	\$40,337,517	\$309,254,300

Source: SBA Home Data as of 10/27/16

Table 4: TOTAL Unmet Need Relating to SBA Business Data

Disaster	SBA Total Verified Loss (Business Data)	Resilience Multiplier (15%)	Total Unmet Need (Business Data)
DR-4266	\$16,314,312	\$2,447,147	\$18,761,459
DR-4269	\$55,241,648	\$8,286,247	\$63,527,895
DR-4272	\$19,505,265	\$2,925,790	\$22,431,055
TOTAL	\$91,061,225	\$13,659,184	\$104,720,409

Source: SBA Business Data as of 10/27/16

FEMA and SBA data alone yield an unmet need for the state of Texas totaling \$559,991,968. This estimate only considers FEMA IA and PA estimates, and SBA estimates, and does not take into consideration lost property valuation, sales tax revenue, business interruption costs, unemployment, agricultural losses, and loss of tourism revenue. When considering the impacts of the early 2016 disaster, DR-4255, and the additional unmet need tied to the 2015 disasters,

Texas has a quantifiable unmet need of approximately \$1 billion. This figure increases to approximately \$2 billion when factoring in the above-mentioned components of disaster loss and recovery needs for both 2015 and 2016.

Table 5: State's Total Unmet Need (2016)

Sector	Unmet Need Amount
FEMA IA Unmet Need	\$88,131,592
FEMA PA Unmet Need	\$57,885,667
SBA Home Unmet Need	\$309,254,300
SBA Business Unmet Need	\$104,720,409
TOTAL Unmet Need	\$559,991,968

The below information provides an unmet needs foundation and basis, as well as a concise breakdown of how funds should be allocated to the five most impacted counties and the additional 66 counties impacted by these disasters.

The state of Texas has been allocated a total of \$222,264,000 for the 2016 flooding disasters. A total of five percent (\$11,113,200) of these funds will be used for the state’s administration of these funds. Additionally, 10 percent (\$22,226,400) of the total allocation will be used for planning activities. After subtracting 15 percent for state administration and planning costs, the remaining funds are to be split between HUD’s most impacted counties of Brazoria, Fort Bend, Harris, Montgomery, and Newton. After the 15 percent deduction, and the one percent deduction for project delivery, these most impacted counties will receive a total of \$149,628,127. This leaves the remaining 66 county allocation at \$37,407,030, after the reduction of one percent for project delivery, which is explained below. The allocation and method of distribution of the CDBG-DR funds associated with the rest of the state’s 66 counties will be determined in a future Action Plan amendment.

A one percent project delivery amount is taken from the total allocation for the most impacted counties; this amount is a total of \$1,511,395 for most impacted project delivery. There is also a one percent amount taken from the remaining 66 county allocation; this amount is \$377,848 for the state project delivery. The below table provides a breakdown of these funds.⁷

⁷ Additionally, \$2.20 has been removed from the allocation for the 66 counties so that funds could be distributed amongst the five most impacted counties in order to make the dollar figures whole numbers. One dollar was also transferred from project delivery to the rest of county allocation to make the project delivery funds whole numbers as well.

Table 6: Allocation Breakdown

5 HUD Most Impacted (MI) Counties	
5 Most Impacted Counties' Allocation	149,628,127
State Allocation	
Remaining County Allocation (66 Counties)	\$37,407,030
MI Project Delivery (1% of MI Counties' Allocation)	\$1,511,395
State Project Delivery (1% of State's Allocation)	\$377,848
State Planning (10%)	\$22,226,400
State Administration (5%)	\$11,113,200
Total for MI and State Allocation	\$222,264,000

A. Pre-Disaster Baseline Data

Conditions Before the Disaster

Economy: One of the important components of Texas is the way in which its economy functions. Historically, the state has fared rather well in multiple sectors. According to Texas A&M Real Estate Center's Monthly Review of the Texas Economy for December 2016, "The Texas economy advanced from November as the number of jobs increased by over 6,100 (seasonally adjusted). The service-providing sector carried December's employment growth, mainly in the health, education, and leisure industries, as well as the government sector. The energy sector continued to improve as crude oil and natural gas prices reached their highest levels since 2014. A recovering energy industry may result in more goods-producing jobs in early 2017. The manufacturing industry in Texas performed well for the month; manufacturers reported increased factory activity and employment demands despite a strong U.S. dollar. Additionally, the strong dollar held inflation to a monthly increase of about 2 percent. Housing sales in Texas and its major metros were modest. Housing supply remained constricted, but an increase in statewide building permits hints at supply increases. Overall, the economy appears solid, and expectations are optimistic for 2017." It is also noted that "Texas' pace of job creation exceeded the nation's in December 2016. Texas gained 213,500 nonagricultural jobs from December 2015 to December 2016, an annual growth rate of 1.8 percent, higher than the nation's employment growth rate of 1.4 percent. The nongovernment sector added 173,400 jobs, an annual growth rate of 1.7 percent, higher the nation's employment growth rate of 1.5 percent in the private sector." ⁸

⁸ Texas A&M Real Estate Center - <https://www.recenter.tamu.edu/articles/technical-report/outlook-for-the-texas-economy>

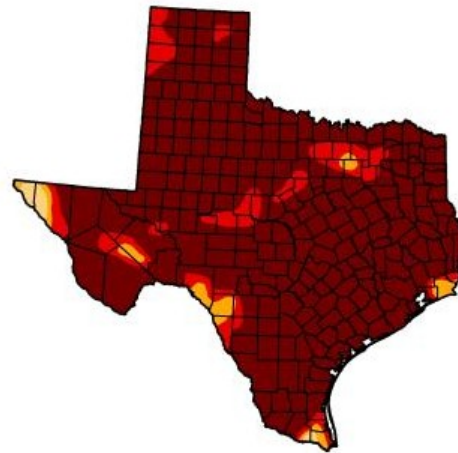
Environment: While the economic sector is demonstrating strong metrics for the year, the environmental components of the state have still been volatile. Prior to May 2015, Texas experienced a historic drought that began in October 2010 (U.S. Drought Monitor). According to the Office of the State Climatologist, the driest 12-month period on record for Texas was October 2010 to September 2011, with a statewide average of only 11.18 inches of rain.⁹ From November 15, 2010 through October 31, 2011, a total of 3.9 million acres and approximately 5,900 structures were damaged and/or destroyed during the 2011 wildfire season. Many factors contributed to the record-breaking season, including the La Niña weather pattern that caused extreme drought conditions, high winds from Tropical Storm Lee, and unprecedented high temperatures. These weather conditions, combined with the availability of large amounts of dry fuels, led to the intensity of these wildfires. Bastrop County specifically experienced the most destructive fire, with a final count of 34,457 acres burned and 3,017 homes destroyed and/or severely damaged.

U.S. Drought Monitor

Texas

September 13, 2011
Valid 7 a.m. EST

	Drought Conditions (Percent Area)					
	None	D0-D4	D1-D4	D2-D4	D3-D4	D4
Current	0.00	100.00	100.00	99.17	96.75	87.83
Last Week (09/06/2011 map)	0.00	100.00	99.93	99.01	95.68	81.06
3 Months Ago (06/14/2011 map)	1.97	98.03	96.53	94.77	88.57	64.78
Start of Calendar Year (12/28/2010 map)	7.89	92.11	69.43	37.46	9.59	0.00
Start of Water Year (09/28/2010 map)	75.57	24.43	2.43	0.99	0.00	0.00
One Year Ago (09/07/2010 map)	69.60	30.40	5.25	1.51	0.00	0.00



Intensity:

- D0 Abnormally Dry
- D1 Drought - Moderate
- D2 Drought - Severe
- D3 Drought - Extreme
- D4 Drought - Exceptional

The Drought Monitor focuses on broad-scale conditions. Local conditions may vary. See accompanying text summary for forecast statements.

<http://drought.unl.edu/dm>



Released Thursday, September 15, 2011
Mark Svoboda, NDMC

Figure 3: Texas Drought Monitor

⁹ The Office of the State Climatologist, Texas A&M University - http://climatexas.tamu.edu/files/osc_pubs/2011_drought.pdf

The extended drought that Texas experienced made the state susceptible to wildfires and flash flooding. These drought factors contributed to the inability of soils to effectively absorb water runoff. The wildfires also engendered severe flooding by removing vegetation that usually works to slow down and trap rainfall. When the state received record amounts of rain not once but twice in 2016, it created the perfect environment for widespread and severe flooding.

As stated previously, over the past two years Texas has experienced major disaster events including numerous flooding, tornado, and wildfire events; this resulted in six disaster declarations spread over 160 of the state's 254 counties. The compounding effects seen from the 2015 floods greatly enhanced the damages experienced by counties during the 2016 floods. Following a historic drought across the state, these multiple events in 2015 and 2016 killed multiple people and caused severe damage across nearly half the state, or 134,000 square miles.

Housing: When looking at the housing market in Texas, there remains strong housing demand and a tight supply. As stated by Texas A&M's Real Estate Center "Months of Inventory of Texas houses settled at 3.6 months (seasonally adjusted); further indicating strong housing demand and tight supply. The nation rested at 4.3 months (around 6.5 months of inventory is considered a balanced housing market). Seasonally adjusted months of inventory in San Antonio (3.4) and Houston (3.6) remained near the state level; but Austin (2.5), Dallas (2.1), and Fort Worth (2.1) exhibited even tighter supply."¹⁰ In an already tight market, the loss of housing associated with the 2016 events only compounded affordability issues in the state.

B. Pre-Disaster Baseline in Common Planning Tools

The State of Texas Consolidated Plan 2015-2019, prepared by the Texas Department of Housing and Community Affairs (TDHCA), contains the housing needs assessment for the state (<http://www.tdhca.state.tx.us/board/docs/books/141218-Item1h-2015-2019-StateofTexasConsolidatedPlan.pdf>). Between 2000 to 2010, Texas' population grew 17 percent, and the number of households increased 15 percent.

¹⁰ Texas A&M Real Estate Center - <https://www.recenter.tamu.edu/articles/technical-report/outlook-for-the-texas-economy>

Table 7: State of Texas Population and Median Income

Demographics	Base Year: 2000	Most Recent Year: 2010	% Change
Population	20,851,820	24,311,891	17%
Households	7,393,354	8,539,206	15%
Median Income	\$39,927	\$49,646	24%

Source: 2000 Census (Base Year), 2006-2010 ACS (Most Recent Year)

“Texas is the second largest state in the nation, the second most populous state, and is growing at a much faster rate than the nation as a whole. The American Community Survey 2008 and 2012 1-year estimates found that the United States population was growing at 3 percent while Texas was growing at 7 percent during that five-year period. With this kind of growth, both new development and redevelopment are occurring in the diverse landscape of Texas.”¹¹

Between 2006 and 2010, almost 3.5 million households, or over one-third of total Texas households, made only 80 percent or less of area median family income (AMFI). From 2000 to 2010, the median home value increased 59 percent, and the median contract rent increased 28 percent. The 2016 flood’s impact on housing stock compounds the lack of affordable housing, and potentially places families at higher risk of becoming homeless.

C. Elderly Populations

As defined by the Department of Housing and Urban Development, an “Elderly Person Household” is a household composed of one or more persons at least one of whom is 62 years of age or more at the time of initial occupancy. This definition is expanded upon with the term “frail elderly,” which HUD labels as an elderly person who is unable to perform at least three activities of daily living (eating, bathing, grooming, dressing, or home management activities) on their own.¹²

A study conducted by the American Community Survey from 2009-2013 revealed that 2,736,346 Texans are classified as elderly (age 65 years and older). In total, the elderly population of the state accounts for 10.7 percent of the entire population, with the large majority residing in urban areas. Despite the majority, the rural elderly face unique challenges,

¹¹ Texas Department of Housing and Community Affairs (TDHCA), State of Texas Consolidated Plan, Page 123 - <http://www.tdhca.state.tx.us/board/docs/books/141218-Item1h-2015-2019- StateofTexasConsolidatedPlan.pdf>

¹² TDHCA, State Low Income Housing Plan - <http://www.tdhca.state.tx.us/pdf/16-Draft-SLIHP.pdf>

as their physical proximity to urban areas makes access to health facilities, community centers, and other amenities more difficult.¹³

D. Pre-Disaster Homelessness

In 2014, Texas accounted for six percent of the nation’s total chronically homeless population. Although Texas has seen one of the largest decreases (38 percent decline) in homelessness from 2007 to 2014, a study conducted by the Texas Homeless Network revealed that 23,678 persons in the state were physically counted as homeless in 2015.¹⁴

While overall homelessness, chronic homelessness, and homelessness among veterans has been on the decline, the number of homeless children has increased. According to the National Center on Family and Homelessness, 190,018 Texas children experienced homelessness in 2013. Continuum of Care data, as published by HUD, further bolsters this statistic in revealing that 30.97 percent of the total homeless population in the State is comprised of households with one adult and at least one child under the age of eighteen years.

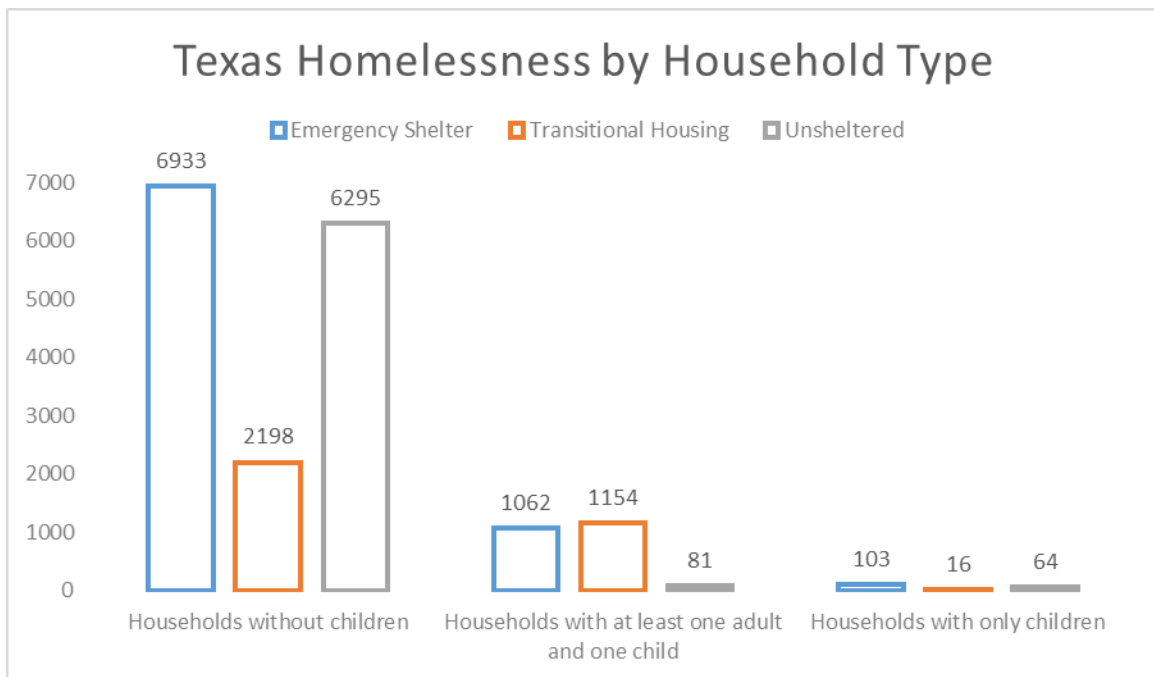


Figure 4: Texas Homelessness by Household Type

¹³ TDHCA, State Low Income Housing Plan - <http://www.tdhca.state.tx.us/pdf/16-Draft-SLIHP.pdf>

¹⁴ TDHCA, State Low Income Housing Plan - <http://www.tdhca.state.tx.us/pdf/16-Draft-SLIHP.pdf>

State Homeless Support Services: Texas has a fairly widespread and robust homeless support services program (without the limitation in the service area of the CDBG-DR program). The state is actively coordinating and collaborating with localities and non-profits to comprehensively address pre-disaster homelessness separately from CDBG-DR funding. Therefore, funds will not be set aside to specifically address disaster homelessness. Our competitive application process will focus on CDBG-DR eligible projects so that communities have as much local control as possible to most effectively and efficiently meet their recovery and resiliency needs. Each applicant will detail any homeless issues suffered, and local solutions being undertaken to address those issues.

The Texas Homeless Network is a statewide non-profit organization, partly funded by the Texas Department of Housing and Community Affairs (TDHCA) and the Texas Department of State Health Service (DSHS), that provides training and technical assistance around the state to help service providers and communities better serve the homeless population with the end goal of preventing and ending homelessness.¹⁵

TDHCA's Homeless Housing and Services Program (HHSP) provides funding to the eight largest cities in support of services to homeless individuals and families. The cities currently served through HHSP are Arlington, Austin, Corpus Christi, Dallas, El Paso, Fort Worth, Houston, and San Antonio. The Texas Legislature has, through the enactment of Senate Bill 1 and Senate Bill 2 (83rd Legislature, 1st called session), provided General Revenue funds of \$10 million over the biennium. Allowable activities include construction, development, or procurement of housing for homeless persons; rehabilitation of structures targeted to serving homeless persons or persons at-risk of homelessness; provision of direct services and case management to homeless persons or persons at-risk of homelessness; or other homelessness-related activity as approved by TDHCA.

Program Highlights:

- Homeless population in the eight cities in 2014: 18,291 (down from 22,603 in 2012).
- Unduplicated numbers served from 2009–2014: 33,080 people, 26,734 households.
- Targets for 2015 (unduplicated): 5,846 persons, 4,062 households.
- Number of people that transitioned to permanent housing in the 2013–2014 program years: 3,052.
- Number of people that achieved specific quality of life outcomes due to construction and rehabilitation projects in 2013–2014: 2,376.
- Duplicated numbers served from 2009–2014: 68,827 people; 49,854 households.

¹⁵ Texas Homeless Network - <http://www.thn.org/>

Additionally, The Texas Interagency Council for the Homeless (TICH) was established in 1995 and coordinates the state's resources and services to address homelessness. TICH serves as an advisory committee to TDHCA. Representatives from 11 state agencies sit on the council, along with members appointed by the governor, lieutenant governor, and speaker of the house of representatives.¹⁶ The council's duties include:

- Survey current resources for services for the homeless in the state;
- Assist in coordinating and providing statewide services for all homeless individuals;
- Increase the flow of information among separate providers and appropriate authorities;
- Provide technical assistance to TDHCA in assessing the need for housing for individuals with special needs in different localities; and
- Maintain a centralized resource and information center for homeless services.

To better understand how the state's infrastructure is positioned to address the complexities of housing instability, TICH initiated a study in January 2011. The council convened work groups composed of representatives from nonprofit organizations and 11 state agencies, analyzed state data, reviewed national research, and gathered public input through 10 hearings. *Pathways Home* presents findings from this study, which indicates that greater coordination of employment and health service resources with local housing programs would expand the state's capacity to prevent and end episodes of homelessness. In response to the study's findings, *Pathways Home* proposes a framework to help more of Texas' most vulnerable citizens enter and remain in safe housing.¹⁷

The Department of State Health Services' (DSHS's) Projects for Assistance in Transition from Homelessness (PATH) program provides outreach in the form of (1) screening, diagnostic assessment, and treatment; (2) habitation and rehabilitation; (3) community mental health services; (4) outpatient alcohol or drug treatment (for clients with serious mental illness); (5) staff training and case management; (6) referrals for primary health services, job training, educational services (including HIV prevention activities), and relevant housing services; (7) assistance in obtaining income support services including Social Security Income and representative payee per appropriate regulations; (8) housing services including planning for housing; (9) technical assistance in applying for housing assistance; and (10) improving coordination of housing and services and the costs of matching individuals with appropriate housing and services. The service areas are Amarillo, Austin, Beaumont, Conroe, Corpus Christi, Dallas, El Paso, Fort Worth, Galveston, Harlingen, Houston, Laredo, Lubbock, San Antonio, and

¹⁶ Texas Interagency Council for the Homeless (TICH) - <http://www.tdhca.state.tx.us/tich/>

¹⁷ TICH, Pathways Home - <http://www.tdhca.state.tx.us/tich/pathways-home.htm>

Waco. The state will also share HUD’s homeless information web page with all eligible communities in order to substantiate their homeless prevention efforts.¹⁸

E. Housing Disaster Impacts

In reviewing the FEMA Information and Data Analysis (FIDA) database provided by FEMA, there were 43,761 applicants for housing assistance through the Individual Assistance (IA) program tied to disasters DR-4266, DR-4269, and DR-4272. The April 2016 event (DR-4269) had the highest number of applicants with 26,428. Furthermore, the period of the three disasters is reflected in the total claims made in the National Flood Insurance Program (NFIP) for Texas, where a total of 13,282 claims were made over the period of the 2016 disasters.

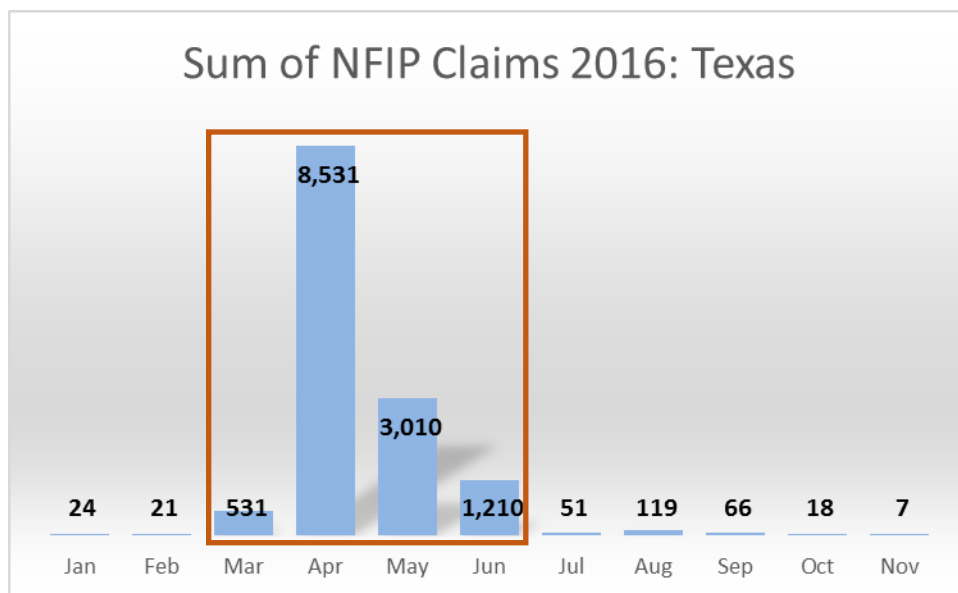


Figure 5: FEMA NFIP Data as of 11/30/16

In total, 71 counties were impacted by these three disasters. The FIDA dataset signifies the number of applicants (individuals and households) for IA from FEMA. This dataset tracks the sequence of delivery for these applications, with FEMA Housing Assistance as the first source of funds, then the Small Business Administration (SBA), and then FEMA-State Other Needs Assistance (ONA).

¹⁸ HUD Homeless Information - <http://portal.hud.gov/hudportal/HUD?src=/states/texas/homeless>

Table 8: Total FEMA IA Applicants and Counties

Disaster	Total Applicants	Applicants w/ Unmet Need	Number of Counties
DR-4266	4,311	1,018	21
DR-4269	26,428	7,344	27
DR-4272	13,022	4,719	46
TOTAL	43,761	13,081	71

Source: FEMA Report - FIDA_27843_FSA_TX_GLO as of 1/11/17. Counties from FEMA Declaration Maps

Data tied to unmet housing needs comes from the IA program and the FEMA NEMIS database. In the FEMA IA program administered by the Texas Division of Emergency Management (TDEM), there is a total of 13,081 households that are demonstrating unmet needs for all 71 counties. Unmet needs are defined as FEMA Verified Loss Amounts less the total amount of assistance being provided to households. This assistance consists of IA, SBA, homeowner’s insurance, and other potential assistance provided to households. The average unmet need per household for all three disasters is \$5,859. The NEMIS database identifies a total unmet housing need of \$88,131,592, with a 15 percent resilience multiplier.

When looking at additional funding sources, it was found that 1,586 applicants out of the total 43,761 were recipients of SBA funding. The total SBA funding identified in the IA program was \$32,675,840. Recipients of funds under the National Flood Insurance Program (NFIP) was much lower at 545, with a total NFIP amount at \$327,000.

Of the total 43,761 applicants for IA, 64 percent (27,877) were from owner-occupied units; 36 percent (15,550) were from renter-occupied units. The remaining one percent (334) were not designated as either owner or renter. However, when looking at the 13,081 households that had remaining unmet need, only 0.2 percent (21) were from renter-occupied units; 99.8 percent (13,060) were from owner-occupied units.

Recipients of CDBG- DR housing funds will be required to execute subrogation agreements in the event that future insurance or other funding is made available to recipients; infrastructure agreements will carry similar language. Due to the limitations of data sets on a statewide basis, the housing needs of single family housing vs. multifamily housing was not determined in this plan. Subrecipients will determine their local housing needs, which will be conveyed through their housing applications to the GLO.

F. Most Impacted Counties – Individual Assistance (Housing)

The total FEMA Verified Loss (FVL) for the five most impacted counties totaled more than \$148.8 million, with Harris County demonstrating the most FVL at just under \$75 million. Total unmet need for all five of these counties totals \$64.2 million, with Harris County having a total of \$37.7 million. Brazoria County had the lowest level of FVL with \$11.4 million, and a total unmet need of \$3.8 million.

Table 9: FVL and Unmet Need by MI County

County	Total FEMA Verified Loss (FVL)	Total Unmet Need
Brazoria	\$11,448,734	\$3,848,839
Fort Bend	\$15,866,703	\$6,581,746
Harris	\$74,999,440	\$37,700,367
Montgomery	\$26,934,416	\$11,785,774
Newton	\$19,577,056	\$4,275,505
TOTAL	\$148,826,348	\$64,192,230

Source: FEMA Report - FIDA_27843_FSA_TX_GLO as of 1/11/17.

When comparing the IA unmet need per capita for the five counties, we find that there is a stark contrast between Newton and the other four counties — this is due to the disparate populations between Newton and the other counties. Given Newton County’s low population of 13,986, the unmet need per capita is \$305.70, as compared to Harris County’s unmet need of \$8.31 per capita. In other words, Newton County’s unmet need is 36 times greater than the next highest tabulation of an affected county’s need.

Table 10: Unmet Need Per Capita

County	Unmet Need	Population (2015)	Unmet Need Per Capita
Brazoria	\$3,848,839	346,312	\$11.11
Fort Bend	\$6,581,746	716,087	\$9.19
Harris	\$37,700,367	4,538,028	\$8.31
Montgomery	\$11,785,774	537,559	\$21.92
Newton	\$4,275,505	13,986	\$305.70

Source: FEMA Report - FIDA_27843_FSA_TX_GLO as of 1/11/17. Census Bureau: American Community Survey Quick Facts

This same scenario is conveyed for the FVL per capita, with Newton showing FVL of \$1,399.76, and Montgomery and Harris Counties showing \$50.11 and \$16.53, respectively. This fact shows

that Newton would need to spend \$1,399.76 per person to alleviate the disaster impacts to households.

Table 11: FEMA Verified Loss Per Capita

County	FEMA Verified Loss	Population (2015)	FVL Per Capita
Brazoria	\$11,448,734	346,312	\$33.06
Fort Bend	\$15,866,703	716,087	\$22.16
Harris	\$74,999,440	4,538,028	\$16.53
Montgomery	\$26,934,416	537,559	\$50.11
Newton	\$19,577,056	13,986	\$1,399.76

Source: FEMA Report - FIDA_27843_FSA_TX_GLO as of 1/11/17. Census Bureau: American Community Survey Quick Facts

The table below shows that Harris County had 21,781 applicants — the most of any county. Newton had the least amount of applicants, with a total of 1,463. However, when compared to population size (Table 12), this means that 0.5 percent of Harris County’s population applied for assistance, whereas in Newton County, over 10 percent of the population applied.

Table 12: FEMA IA Applicant Percent of County Population

County	Applicants	Population (2015)	App % of Co Population
Brazoria	1,589	346,312	0.5%
Fort Bend	1,979	716,087	0.3%
Harris	21,781	4,538,028	0.5%
Montgomery	4,622	537,559	0.9%
Newton	1,463	13,986	10.5%

Source: FEMA Report - FIDA_27843_FSA_TX_GLO as of 1/11/17. Census Bureau: American Community Survey Quick Facts

Additionally, because households apply for assistance (rather than individuals), it is important to identify how many applicants per household there are for each individual county. The contrast between Newton and the other counties is seen even more starkly here when the figures show that more than 30 percent of Newton County’s households applied for assistance. The next closest county is Montgomery, showing 2.67 percent of households applying (Table 13).

Table 13: FEMA IA Applicant Percent of County Households

County	Applicants	Households (2015)	App % of Co Population
Brazoria	1,589	112,510	1.41%
Fort Bend	1,979	206,188	0.96%
Harris	21,781	1,499,528	1.45%
Montgomery	4,622	173,238	2.67%
Newton	1,463	4,825	30.32%

Source: FEMA Report - FIDA_27843_FSA_TX_GLO as of 1/11/17. Census Bureau: American Community Survey Quick Facts

For the most impacted counties identified by HUD, there is a wide variance in the above numbers. The figures show that total unmet need in dollars does not tell the whole story of what these counties face when it comes to recovery; this will be discussed in the below section that scrutinizes both the total unmet need for the state and the methodology for breaking out funds per most impacted county.

G. Non-Housing Disaster Unmet Needs

As stated in the introduction to the Needs Assessment, the state of Texas, through coordination with TDEM, compiled a list of Public Assistance (PA) applicants for all three disasters in 2016. These figures come from the FEMA EMMIE database (as of January 9, 2017). The projected cost amount is what FEMA and localities determine to be the total of what will eventually be written for total project costs. The total eligible amount is what has been written to date, and the federal share eligible is the 75 percent of federal matching funds correlated to the total eligible amount. For disaster-related projects, it is reasonable to expect that the total eligible amount will reach the projected cost amount; however, the two will not balance until the application is closed. It is the projected cost amount that provides the total amount of damages for each locality and county. Due to there being a 75 percent federal share tied to the projected cost amount, it is the remaining 25 percent of the projected cost amount, plus 15 percent as a resiliency multiplier, that signifies the total non-housing unmet need for these localities.

For all impacted counties in Texas, there is a projected cost amount of \$201,341,450. The 25 percent local match total is \$50,335,363 for the state. When accounting for a resilience multiplier of 15 percent (\$7,550,304), the total unmet need for the state (tied to Public Assistance) is \$57,885,667.

Table 14: TDEM/FEMA Non-Housing Unmet Need by Disaster

Disaster	Projected Cost	25% Local Match (Unmet Need)	Resilience Multiplier (15%)	Total Unmet Need
DR-4266	\$29,331,951	\$7,332,988	\$1,099,948	\$8,432,936
DR-4269	\$37,806,554	\$9,451,638	\$1,417,746	\$10,869,384
DR-4272	\$134,202,945	\$33,550,736	\$5,032,610	\$38,583,347
TOTAL	\$201,341,450	\$50,335,363	\$7,550,304	\$57,885,667

Source: TDEM - Emergency Management Mission Integrated Environment (EMMIE) Database Report as of 1/9/2017

Because so much of the state was impacted by these 2016 events, and property valuations occur locally by county on differing schedules, the impact on property values, though impossible to determine, should be regarded as a factor of the long-term impact that communities will face as they struggle to recover using their own resources. Additionally, it must be noted here that while unmet housing need will be addressed, there still remains significant unmet need in the non-housing sector. When combining the need from Public Assistance (\$57,885,667) and SBA Business Unmet Need (\$104,720,409), there yields a grand total of non-housing disaster unmet needs of \$162,606,076. Projects affiliated with economic revitalization or infrastructure activities will contribute to the long-term recovery and restoration of housing in the most impacted and distressed areas.

H. Resiliency Solutions and Unmet Need for the State

Recognizing the state’s long and well-documented history of flooding, as well as its ongoing efforts to mitigate future flooding in our most vulnerable areas, the state is committed to rebuilding resiliently. In assessing unmet needs, it is important to consider the additional costs of safeguarding housing and community investments from future disasters. As such, Texas will not only be assessing applications and considering state-run programs that replace or repair lost property, but will also be seeking to invest resources in efforts that promise to mitigate damage from future disasters. Although initially more costly, these mitigating efforts greatly reduce the cost of future damages.

Single family home resiliency solutions are expected to add 10 percent to 15 percent to the total cost per home; multifamily resiliency solutions add 15 percent to 20 percent to the total cost per project; and infrastructure solutions add 15 percent to 20 percent to the total cost per project. Resiliency solutions are varied and dependent on the respective area’s Threat and Hazard Identification and Risk Assessment (THIRA). The THIRA utilizes an all-hazards approach; however, for this grant funding, the focus will be on flood resiliency solutions.

Home resiliency solutions include elevating the first floor of habitable area; breakaway ground floor walls; reinforced roofs; storm shutters; and mold and mildew resistant products. Multifamily resiliency solutions include elevation; retention basins; fire-safe landscaping; firewalls; landscaped floodwalls; and a combination of both single family and infrastructure solutions.

In the case of infrastructure resiliency solutions, improvements will include:

- Raising facilities above base flood elevation;
- Having backup power generators for critical systems (water, sewer, etc.);
- Elevating critical systems, retention basins, larger culverts, culvert debris guards, erosion control solutions, raising roadways, and redundant communication systems.

Once the state considers the amount of resiliency solutions that will be tied to housing and infrastructure projects, the amount of unmet need increases significantly. The resiliency multiplier used here will be a standard 15 percent for both housing and non-housing activities.

I. Total Unmet Need for the State of Texas

Total Unmet Need: It is important to determine how to best allocate the CDBG-DR funds effectively across the state to counties that demonstrate the most need. The counties that are deemed most impacted by HUD are Brazoria, Fort Bend, Harris, Montgomery, and Newton. Total unmet need for these five counties is seen in Table 15.

Table 15: Total Unmet Need for Most Impacted Counties

County	Unmet Need
Brazoria	\$31,991,709
Fort Bend	\$51,685,074
Harris	\$222,284,271
Montgomery	\$65,203,818
Newton	\$47,757,485
TOTAL	\$418,922,357

Note: TOTAL Unmet Need consists of IA, PA, SBA TVL, SBA, Business TVL, and Resilience Multiplier

Unmet Need Per Capita: The amount of unmet need per capita is an important factor when considering the ability for a county to absorb the fiscal impacts of a disaster. Localities may be able work to recover from disasters by increasing their revenue through tax increases. When looking at the per capita impacts that this will have on communities, the five most impacted counties vary greatly, given their population size. The below table breaks down the total unmet need per capita for each of the five most impacted counties (Table 16).

Table 16: GRAND TOTAL Unmet Need (UN) Per Capita (USED AS DISTRIBUTION FACTOR)

County	TOTAL Unmet Need	Population (2015)	TOT UN % of Co Population
Brazoria	\$31,991,708.92	346,312	\$92.38
Fort Bend	\$51,685,073.99	716,087	\$72.18
Harris	\$222,284,270.59	4,538,028	\$48.98
Montgomery	\$65,203,817.90	537,559	\$121.30
Newton	\$47,757,485.19	13,986	\$3,414.66

Note: TOTAL Unmet Need consists of IA, PA, SBA TVL, SBA, Business TVL, and Resilience Multiplier, Source: Population (2015) - <https://www.census.gov/quickfacts/>

As can be seen in the above table, Newton County experienced a much higher unmet need per capita at \$3,414.66, while Harris County shows the lowest unmet need per capita at \$48.98. This can be explained by Harris County’s population exceeding 4.5 million, while Newton County has a population of 13,986.

Social Vulnerability Index (SoVI) 2010-2014: An additional component to consider when looking at unmet needs of these five counties is what level of social vulnerability to natural hazards are they experiencing. The Social Vulnerability Index (SoVI) 2010-2014 measures the social vulnerability of counties across the United States — in particular, their vulnerability to environmental hazards. This index, developed by the University of South Carolina’s Hazards & Vulnerability Research Institute, synthesizes 29 socioeconomic variables which contribute to reduction in a community’s ability to prepare for, respond to, and recover from hazards. SoVI is a comparative metric that facilitates the examination of the differences in vulnerability among counties. It is a valuable tool because it graphically illustrates the geographic variation in social vulnerability, which in turn contributes greatly to response and recovery capabilities. SoVI shows where there is uneven capacity for disaster preparedness and response, and where resources might be used most effectively to reduce pre-existing vulnerability. The data sources for the development of SoVI come primarily from the United State Census Bureau.

The 2010-2014 SoVI data combines the best available data from both the 2010 U.S. Decennial Census and five-year estimates from the 2010-2014 American Community Survey (ACS). The below table provides the breakdown for the five most impacted counties with relation to their quintile ranking when being ranked within Texas alone, as well as their SoVI raw score and SoVI score modified to account for the range to be above 0, which was critical in using this factor in the weighting methodology (Table 17).

Table 67: SoVI Score by Most Impacted (MI) County (2010-2014)

County	Texas Compare-Q	SoVI Score (raw)	Score (Range)
Brazoria	Medium – Low	-3.769999981	5.96
Fort Bend	Low	-5.719999979	4.01
Harris	Medium	0.140000001	9.87
Montgomery	Low	-4.170000076	5.56
Newton	Medium – Low	-0.620000005	9.11

Source: [Social Vulnerability Index: http://artsandsciences.sc.edu/geog/hvri/sovi-data](http://artsandsciences.sc.edu/geog/hvri/sovi-data)

Distribution of Funds: In determining the distribution of funds to these counties, the first step was determining the allocation for the most impacted (MI) counties and the rest of the state. As deemed by the Federal Register, 80 percent of the total \$222,264,000 would be allocated to the five most impacted counties. This 80 percent amount totals \$177,811,200, leaving a remaining \$44,452,800 for the rest of the State. The State will designate 15 percent of these fund for administration (5 percent), planning (10 percent). The below table 18 provides a breakdown of these amounts once accounting for administration, planning. The amounts for the MI counties and the rest of the state also consider the amount of funds used for project delivery. The total amount that will be utilized for project delivery is 1 percent for the MI counties and one percent for the rest of the state.

Table 78: Distribution Breakdown for State of Texas

Allocation Sector	Amount
Most Impacted Co Allocation (5 Counties)	\$149,628,127
Rest of State Allocation (66 Counties)	\$37,407,030
MI Project Delivery (1% of MI Allocation)	\$1,511,395
State Project Delivery (1% of State Allocation)	\$377,848
State Planning (10%)	\$22,226,400
State Administration (5%)	\$11,113,200
TOTAL	\$222,264,000

The total amount to be allocated to the five most impacted counties is allocated according to a weighted scoring system that took into account three distribution factors. These are total unmet need per county, SoVI score, and total unmet need per capita. Out of a total weighting system of 100 points, the total unmet need was given the highest weight with 50, as it is the most important factor in determining the allocation amount. The Social Vulnerability Index (SoVI) was given the score of 40, being that vulnerability contributes greatly to response capabilities and recovery. Total unmet need per capita was given a weight of 10 in that while there is a great importance tied to the communities' ability to absorb the impact of a disaster, there is not as much weight as total unmet need and community vulnerability to hazards.

In order to make the raw SoVI scores usable as a distribution factor, the scores were shifted up by 9.73 points (the lowest score in the country was 9.73) to get them all at over 0 and into a positive ranking for use in weighting and factoring in averages. Maximums were determined for each of the three distribution factors. If a factor were to reach its maximum factor, they would receive the full points for that factor weight. See the below table for distribution factors and their respective weights.

Table 89: Distribution Factors

Distribution Factor	Maximum Factor	Factor Weight
Total Unmet Need	\$222,284,270.59	50
SoVI Score 2010-2014	25.37	40
Total Unmet Need Per Capita	\$3,414.66	10

The factor weight for each distribution factor was multiplied by the ratio between the county's factor measure and the maximum factor measure. Scores were then provided for each county's distribution factor and the factor scores were then summed. The total score for each county was then divided by the total score of all counties to get the ratio of the weighted factors, or to get the proportional weighted factor. The below table provides the county scores and their respective ratios with the final column showing the proportional distribution. Through this method, the state was able to effectively distribute funds according to unmet need while also taking into account social and environmental vulnerability as well as a county's capacity to absorb the costs of long-term recovery.

Table 20: Most Impacted County Proportional Distribution

County	Weighted Factor Total	Proportional Weighted Factor	Proportional Distribution
Brazoria	16.86	10.5646674275%	\$15,807,714
Fort Bend	18.16	11.3766558108%	\$17,022,677

Harris	65.71	41.1628135921%	\$61,591,147
Montgomery	23.79	14.9028183733%	\$22,298,808
Newton	35.11	21.9930447963%	\$32,907,781
TOTAL			\$149,628,127

All funds being allocated directly to the most impacted counties and the rest of Texas will address an unmet housing need or will consist of economic revitalization or infrastructure activities that will contribute to the long-term recovery and restoration of housing in the most impacted and distressed areas. This will be accomplished through communities determining their local needs through consultation with community members, leaders, and elected officials. Methods of Distribution (MODs) will be developed locally for those in the HUD most impacted counties. The allocation of the CDBG-DR funds associated with the rest of the state will be determined in a future Action Plan amendment.

J. Statewide Flood Management Study

The Texas General Land Office is allocating \$22,226,400 for phase 1 of a statewide flood management study (Study) from this appropriation. Approximately \$2,000,000 in planning funds will be utilized from the state's CDBG-DR 2015 flood allocation. There are also several possible state sources that are being considered for participation through multiple partner agencies at this time. The Study, at a minimum, will consider the impacted areas of both the 2015 and 2016 CDBG-DR allocations with applicable drainage basins in phase 1. As other agency funding is committed, those funds will be utilized to consider CDBG-DR ineligible areas. This effort may occur with phase 1, or in future phases of the Study.

It is expected that less than half of the funds allocated here will be spent in direct planning activities. At the conclusion of the Study, the remaining funds will be used to implement Study-prioritized activities in the five most impacted counties for the 2016 allocation. An Action Plan Amendment will be necessary to transfer planning funds to specific project uses at a later date. As required with any Action Plan Amendment, the GLO citizen participation plan will be fully implemented to notify the public of the results of the Study and the specific projects being funded.

III. General Requirements

A. Public Housing, HUD-assisted Housing, and Housing for the Homeless

The GLO's subrecipients will identify and address the rehabilitation, reconstruction, and replacement of the following types of housing affected by the disasters: Public housing (including administrative offices); HUD-assisted housing; McKinney-Vento Homeless Assistance Act-funded shelters and housing for the homeless, including emergency shelters and transitional and permanent housing for the homeless; and private market units receiving project-based assistance or with tenants that participate in the Section 8 Housing Choice Voucher Program. The subrecipients will identify these projects either in the county MODs for the HUD-identified most impacted area counties, or submit the project to the State Competition as applicable.

Various target populations are eligible to be served, including homeless and special needs populations. CDBG-DR funds received by the state will be used in the recovery efforts from the 2016 storms and floods for specific disaster-related purposes. While these funds do not exclude eligibility to homeless individuals or other special needs populations, there are no set-asides specifically for such. It is anticipated that the CDBG-DR funds may address the needs of people with disabilities, and homeless, under the programs developed and administered under this allocation. The state also has various other programs that address the housing needs of these populations that are unrelated to this grant. As stated in the Needs Assessment, Texas has a fairly widespread and robust homeless support services program without the limitation in the service area of the CDBG-DR program.

All proposed projects will undergo AFFH review by the GLO before approval. Such review will include assessment of a proposed project's area demography, socioeconomic characteristics, housing configuration and needs, educational, transportation, and health care opportunities, environmental hazards or concerns, and all other factors material to the AFFH determination. Applications should show that projects are likely to lessen area racial, ethnic, and low-income concentrations, and/or promote affordable housing in low-poverty, nonminority areas in response to natural hazard-related impacts. All subrecipients will certify that they will affirmatively further fair housing ("AFFH") in their grant agreements, and will receive GLO training and technical assistance in meeting their AFFH obligations.

B. Displacement of Persons and/or Entities

To minimize the displacement of persons and/or entities that may be affected by the activities outlined in this Action Plan, the GLO will coordinate with other state agencies, local governments, and local non-profit organizations to ensure minimal displacement. However, should any proposed projects cause displacement of people, the GLO will ensure grantees follow the requirements set forth under the Uniform Relocation Assistance and Real Property Acquisition Policies Act, as waived.

C. Maximum Assistance

The maximum amount of assistance available under the GLO's disaster recovery program will be the maximum amount allocated to the HUD most impacted counties. Each HUD most impacted county will set the maximum amount of assistance available to a beneficiary under its program. For any residential rehabilitation or reconstruction program, the GLO's housing guidelines establish housing assistance caps. Subrecipients establish housing assistance caps for their rehabilitation or reconstruction programs equal to or less than the GLO's housing assistance caps. A waiver request must be submitted to the GLO if subrecipients' housing assistance caps exceed the GLO's housing assistance caps. The GLO will evaluate each housing assistance waiver request for cost effectiveness.

D. Elevation Standards

The GLO will apply the following elevation standards to new construction, repair of substantial damage, or substantial improvement of structures located in an area delineated as a flood hazard area or equivalent in FEMA's data source identified in 24 CFR 55.2(b)(1). All structures, defined at 44 CFR 59.1, designed principally for residential use and located in the annual (or 100-year) floodplain that receive assistance for new construction, repair of substantial damage, or substantial improvement, as defined at 24 CFR 55.2(b) (10), must be elevated with the lowest floor, including the basement, at least two feet above the annual floodplain elevation. Residential structures with no dwelling units and no residents below the annual floodplain, must be elevated or flood proofed, in accordance with FEMA flood proofing standards at 44 CFR 60.3(c)(3)(ii) or successor standard, up to at least two feet above the annual floodplain. Applicable state, local, and tribal codes and standards for floodplain management that exceed these requirements, including elevation, setbacks, and cumulative substantial damage requirements, will be followed.

E. Planning and Coordination

The GLO's recovery projects will be developed in a manner that considers an integrated approach to housing, infrastructure, economic revitalization, and overall community recovery that will contribute to the long-term recovery and restoration of housing in the most impacted and distressed areas. The GLO will continue to work with state and local jurisdictions to provide guidance on promoting a sound short- and long-term recovery plan in the affected areas by coordinating available resources to help in the restoration and recovery of damaged communities. Disaster recovery presents affected communities with unique opportunities to examine a wide range of issues such as housing quality and availability, road and rail networks, environmental issues, and the adequacy of existing infrastructure. The GLO will support long-term plans put in place by local and regional communities that promote sound, sustainable long-term recovery planning informed by a post-disaster evaluation of hazard risk, especially

land-use decisions that reflect responsible floodplain management and take into account continued sea level rise, if applicable. This information should be based on the history of FEMA flood mitigation efforts, and take into account projected increase in sea level (if applicable) and frequency and intensity of precipitation events, which are not considered in current FEMA maps and National Flood Insurance Program premiums.

The GLO will coordinate as much as possible with local and regional planning efforts to ensure consistency, to promote community-level and/or regional (e.g., multiple local jurisdictions) post-disaster recovery and mitigation, and to leverage those efforts.

In this Action Plan the GLO has allocated 10 percent of the budget for planning that addresses long-term recovery and pre- and post-disaster hazard mitigation for a state-wide flood plan, with an emphasis on the HUD most impacted counties.

F. Infrastructure Activities

The GLO will encourage subrecipients to integrate mitigation measures into rebuilding activities and the extent to which infrastructure activities funded through this grant will achieve objectives outlined in regionally or locally established plans and policies that are designed to reduce future risk to the jurisdiction.

The GLO will encourage subrecipients to consider the costs and benefits of the project when selecting CDBG-DR eligible projects.

The GLO will seek to ensure that infrastructure activities will avoid disproportionate impact on vulnerable communities and create opportunities to address economic inequities facing local communities by all project applications undergoing an AFFH review by the GLO before approval. Such review will include assessment of a proposed project's area demography, socioeconomic characteristics, housing configuration and needs, educational, transportation, and health care opportunities, environmental hazards or concerns, and all other factors material to the AFFH determination. Applications should show that projects are likely to lessen area racial, ethnic, and low-income concentrations, and/or promote affordable housing in low-poverty, nonminority areas in response to natural hazard-related impacts. All subrecipients will certify that they will affirmatively further fair housing (AFFH) in their grant agreements, and will receive GLO training and technical assistance in meeting their AFFH obligations.

The GLO will coordinate with federal, state, local, private, and nonprofit sources to assist subrecipients to align investments with other planned state or local capital improvements and infrastructure development efforts, and will work to foster the potential for additional infrastructure funding from multiple sources, including existing state and local capital improvement projects in planning, and the potential for private investment.

The GLO will rely on professional engineers procured by the subrecipients to employ adaptable and reliable technologies to guard against premature obsolescence of infrastructure.

G. Leveraging Funds

The GLO will encourage subrecipients to leverage CDBG-DR funds with funding provided by other federal, state, local, private, and nonprofit sources to utilize the limited CDBG-DR funds to the fullest possible extent. The GLO will report on leverage funds in the DRGR system.

H. Protection of People and Property

1. Quality Construction Standards

The GLO will require both quality inspections and code compliance inspections on all projects. Site inspections will be required on all projects to ensure quality and compliance with building codes. The GLO will encourage and support subrecipients' efforts to update and strengthen local compliance codes to mitigate hazard risks due to sea level rise, high winds, storm surge, and flooding where applicable. In the project application, subrecipients will submit an explanation of current and the future planned codes to mitigate hazard risks. The GLO will provide technical guidance on hazard mitigation code examples.

For reconstruction or new construction of residential buildings, the GLO will follow the ENERGY STAR program for Green Building Standards. For rehabilitation of non-substantially damaged residential buildings, the GLO will follow the guidelines to the extent applicable specified in the HUD CPD Green Building Retrofit Checklist. For infrastructure projects, the GLO will encourage, to the extent practicable, implementation of green building practices.

2. Housing Contractors Standards

The GLO will establish standards in the request for qualifications (RFQ) for housing contractors, and encourage subrecipients to do the same. The standards will include, but not be limited to, information on the company's organizational structure and capabilities, ability to perform, recent construction projects completed or underway over the past five years, performance and payment bond capacity, financial statements for the past two years, evidence of insurance coverage, and business registrations, certifications, and licenses. The GLO will require subrecipients to utilize builders qualified through the RFQ process, or use local procurement methods to qualify contractors. To ensure full and open competition, subrecipients are required at a minimum to follow 24 CFR 570.489(g). The GLO will monitor subrecipient procurement. The GLO will require a warranty period post-construction for housing. All work performed by the contractor will be guaranteed for a period of one year.

3. Appeals Processes

The GLO responds to complaints and appeals in a timely and professional manner to maintain a quality level of operations. The GLO's Appeals Processes apply to appeals received from homeowners, contractors, cities, counties, and housing authorities, among others. The GLO will respond to homeowners by coordinating with the subrecipients and/or housing contractors to resolve homeowners' issues.

A record of each complaint or appeal that the GLO receives is kept in an information file. When a complaint or appeal is received, the GLO will respond to the complainant or appellant within 15 business days where practicable. For expediency, the GLO will utilize telephone communication as the primary method of contact; email and postmarked letters will be used as necessary to document conversations and transmit documentation.

Information about the complainant's rights and how to file a complaint shall be printed on all program applications, guidelines, the GLO public website, and subrecipient websites in all local languages, as appropriate and reasonable. Procedures for appealing a GLO decision on a complaint shall be provided to complainants in writing as part of the complaint response.

4. Dam and Levee Requirements

As stated in the Federal Register, Vol. 81, No. 224, Monday, November 21, 2016, CDBG-DR funds are prohibited from being used to enlarge a dam or levee beyond the original footprint of the structure that existed prior to the disaster event. The GLO will ensure that if subrecipients use CDBG-DR funds for levees and dams, the subrecipients will (1) register and maintain entries regarding such structures with the U.S. Army Corps of Engineers National Levee Database or National Inventory of Dams, (2) ensure that the structure is admitted in the U.S. Army Corps of Engineers PL 84-99 Program (Levee Rehabilitation and Improvement Program), and (3) ensure the structure is accredited under the FEMA National Flood Insurance Program. The GLO will upload into DRGR system the exact location of the structure and the area served and protected by the structure, and maintain file documentation demonstrating that the grantee has conducted a risk assessment prior to funding the flood control structure and that the investment includes risk reduction measures.

I. Program Income

Any program income earned as a result of activities funded under this grant will be subject to alternate requirements of 24 CFR §570.489(e), which defines program income. Program income generated under individual contracts with the sub-grantees will be returned to the GLO. At the GLO's discretion, program income could be allowed to remain with a community to continue recovery efforts.

J. Monitoring Standards

The GLO provides program-wide oversight and monitoring activities for all applicable CDBG and related federal requirements in its administration of the CDBG-DR Program. The GLO will provide technical assistance to recipients from the application stage through the completion of the projects to ensure that funds are appropriately used for the CDBG-DR activities, as well as meeting one of the three national objectives.

The GLO will monitor all contract expenditures for quality assurance and to prevent, detect, and eliminate fraud, waste, and abuse as mandated by Executive Order (EO) RP 36, signed July 12, 2004, by the Governor of Texas. The GLO will particularly emphasize mitigation of fraud, abuse, and mismanagement related to accounting, procurement, and accountability which may also be investigated by the State Auditor's Office (SAO). In addition, the GLO and the grantees are subject to Uniform Guidance Standards of 2 CFR 200 which encompasses the review of compliance with program requirements and the proper expenditure of funds by an independent Certified Public Accountant (CPA), or by the SAO. Reports from the SAO's office will be sent to the Office of the Governor, the Legislative Committee, and the GLO.

The GLO has an internal audit staff that performs independent internal audits of programs and can perform such audits on these programs and grantees. The GLO will utilize a monitoring plan to specifically ensure that the recovery allocation is carried out in accordance with state and federal laws, rules, and regulations, as well as the requirements set forth in the Federal Register Notices. The monitoring plan will also include duplication of benefits review to ensure compliance with the Stafford Act.

K. Broadband Infrastructure

As required by the Federal Register, Vol. 81, No. 224, Monday, November 21, 2016, any new construction or substantial rehabilitation, as defined by 24 CFR 5.100, of a building with more than four rental units will include installation of broadband infrastructure, as this term is also defined in 24 CFR 5.100, except where the grantee documents that: (i) the location of the new construction or substantial rehabilitation makes installation of broadband infrastructure infeasible; (ii) the cost of installing broadband infrastructure would result in a fundamental alteration in the nature of its program or activity or in an undue financial burden; or (iii) the structure of the housing to be substantially rehabilitated makes installation of broadband infrastructure infeasible.

IV. State Administered Disaster Recovery Program

A. Action Plan

The Action Plan describes the following activities related to disaster relief, long-term recovery, and restoration of housing, infrastructure, and economic revitalization in the most impacted and distressed areas affected by the severe storms, tornadoes, straight-line winds, and flooding disasters occurring during 2016:

- Citizen participation process used to develop the Action Plan;
- Eligible affected areas and applicants, and the methodology used to distribute funds to those applicants;
- Activities for which funding may be used; and
- Grant procedures that will be applicable to ensure program requirements, including non-duplication of benefits.

As required by the Federal Register, Vol. 81, No. 224, Monday, November 21, 2016, the Action Plan allows the GLO “to allocate funds to address unmet economic revitalization and infrastructure needs, but in doing so, the grantee must identify how unmet housing needs will be addressed or how its economic revitalization or infrastructure activities will contribute to the long-term recovery and restoration of housing in the most impacted and distressed areas.”

As additional information becomes available through the grant administration process, amendments to this Action Plan are expected. Prior to adopting any substantial amendment to this Action Plan, the GLO will publish the proposed plan or amendment on the GLO’s official website and will afford citizens, affected local governments, and other interested parties a reasonable opportunity to examine the plan or amendment’s contents. At a minimum, the following modifications will constitute a substantial amendment:

- A change in program benefit or eligibility criteria;
- The allocation or reallocation of more than \$1 million; or
- The addition or deletion of an activity.

B. Program Budget

1. Grant Allocations

Funds will be used solely for necessary expenses related to disaster relief, long-term recovery, restoration of housing, infrastructure, and economic revitalization in the impacted and distressed Texas counties as declared in DR-4266, DR-4269, and DR-4272.

As required by the Federal Registers, Vol. 81, No. 224, Monday, November 21, 2016, and Vol. 82, No.11, Wednesday, January 18, 2017, the GLO will allocate 80 percent of both allocations to address unmet needs within the HUD-identified ‘most impacted and distressed’ areas.

The GLO will ensure, as is required and identified in the Federal Register, that at least 70 percent of the entire CDBG Disaster Recovery grant award will be used for activities that benefit low- and moderate-income projects.

2. Administrative Funds

State administrative costs will not exceed five percent. Planning and administrative costs combined will not exceed 20 percent. The provisions outlined under 42 U.S.C. 5306(d) and 24 CFR §570.489(a)(1)(i) and (iii) will not apply to the extent that they cap state administration expenditures and require a dollar-for-dollar match of state funds for administrative costs exceeding \$100,000. Pursuant to 24 CFR §58.34(a)(3), except for applicable requirements of 24 CFR §58.6, administrative and management activities are exempt activities under this Action Plan. Once contracted, the GLO will allow the drawdown of pre-agreement costs associated with eligible disaster recovery activities dating back to the date of the disaster(s) for subrecipients and the GLO with appropriate documentation.

3. Thresholds Factors and Grant Size

There must be a specific disaster-related need directly attributable to the major natural disaster declaration for severe storms, tornadoes, straight-line winds, and flooding disaster relief, long-term recovery and/or restoration of housing and infrastructure (DR-4266, DR-4269, and DR-4272). No disaster recovery assistance will be considered with respect to any part of a disaster loss that is reimbursable by the Federal Emergency Management Agency (FEMA), the Army Corps of Engineers (USACE), insurance, or another source due in part to the restrictions against duplication of benefits outlined in this Action Plan. An activity underway prior to the Presidential Disaster Declaration will not qualify unless the disaster directly impacted said project.

- HUD Most Impacted Area Counties

The grant size established for this Action Plan for the most impacted counties is a \$100,000 minimum-allocation size; the maximum allocation size is the total allocated to the county.

The proposed contract start dates for subrecipients is August/September 2017, and the proposed contract end dates for subrecipients is August/September 2019.

C. Eligibility and Award Method

According to HUD, only those that were within the disaster-declared counties of DR-4266, DR-4269, and DR-4272 are eligible to receive assistance under this grant. The GLO will potentially utilize all three national objectives to carry out all programs under this allocation. Only mitigation measures related to repairing damage caused by severe storms, tornadoes, straight-line winds, and flooding will be considered for funding.

1. Eligible Applicants

Counties, cities, and housing authorities located in the 71 impacted counties are eligible applicants.

2. Eligible Activities

Housing Activities: Housing activities allowed under CDBG-DR include, but are not limited to:

- Single family and multifamily repair, rehabilitation, and/or new construction;
- Repair and replacement of manufactured housing units;
- Hazard mitigation;
- Elevation;
- Buyouts;
- Demolition only;
- Planning activities related to housing; and
- Other activities associated with the recovery of housing stock impacted.

Non-Housing Activities: All activities allowed under CDBG-DR, including but not limited to:

- Restoration of infrastructure (such as water and sewer facilities, streets, provision of generators, removal of debris, drainage, bridges, etc.);
- Demolition, rehabilitation of publicly or privately owned commercial or industrial buildings, and code enforcement;
- Economic development (such as microenterprise and small business assistance, commercial rehabilitation, and special economic development activities);
- Public service (such as job training and employment services, healthcare, child care, and crime prevention within the 15 percent cap); and
- Eligible planning, urban environmental design, and policy-planning-management-capacity building activities as listed in §570.205 within the 15 percent cap).

3. Ineligible Activities

Ineligible activities identified in the Federal Register, Vol. 81, No. 224, Monday, November 21, 2016, are the use of CDBG-DR for forced mortgage payoff, construction of dam/levee beyond original footprint, incentive payments to households that move to disaster-impacted floodplains, assistance to privately owned utilities, not prioritizing assistance to businesses that meet the definition of a small business, or assistance for second homes and activities identified in 24 CFR 570.207. All activities and uses authorized under Title I of the Housing and Community Development Act of 1974, allowed by waiver, or published in the Federal Register, Vol. 81, No. 224, Monday, November 21, 2016, are eligible.

D. Method of Distribution

As required by the Federal Register, Vol. 81, No. 224, Monday, November 21, 2016, and Federal Register, Vol. 82, No. 11, Wednesday, January 18, 2017, the GLO will allocate 80 percent of both allocations to the HUD-identified “most impacted and distressed” areas. The HUD-identified “most impacted and distressed” areas consist of Brazoria, Fort Bend, Harris, Montgomery, and Newton County. The GLO will require each “most impacted and distressed” area to submit to the GLO a county Method of Distribution (MOD).

The amount each “most impacted and distressed” area is allocated is based on the formula allocation detailed in the Need Assessment section of this Action Plan.

The remaining 20 percent of allocations will be detailed in an amendment to this Action Plan.

1. HUD Most Impacted County Method of Distribution (MOD)

The specific distribution of funds will be determined by the five locally adopted county MODs. The five HUD-identified “most impacted and distressed” areas of Brazoria, Fort Bend, Harris, Montgomery, and Newton County will develop MODs for their county’s allocation.

Each most impacted county, including eligible cities and public housing authorities within those counties, are eligible to be allocated funds with the MOD. Cities and housing authorities located within these counties are encouraged to participate in the development of the MOD.

Each “most impacted” county MOD criteria will include the following:

- Established objective criteria for allocation of funds to eligible entities or projects;
- Any project-type priorities;
- A plan to meet the 70 percent low-to-moderate income benefit requirement;
- How unmet housing needs will be addressed or how economic revitalization or infrastructure activities will contribute to long-term recovery and restoration of housing in the most impacted and distressed areas;
- Minimum grant size of \$100,000 and maximum grant size of the total amount allocated to the county;

- Identify the process of reallocation of funds from de-obligated funds and/or cost-savings from completed projects; and
- Must conduct at least one public planning meeting and two public hearings.

The GLO will provide the counties additional guidance on the development of the county MODs.

E. Location

All CDBG-DR funded activities under this Action Plan will occur within the disaster-declared counties of FEMA DR-4266, DR-4269, and DR-4272.

F. Mitigation Measures

The GLO will encourage subrecipients to incorporate preparedness and mitigation measures into rebuilding activities; this helps to ensure that post-recovery communities are safer and stronger than prior to the disaster. Incorporation of these measures also reduces costs in recovering from future disasters. Mitigation measures that are not incorporated into those rebuilding activities must be a necessary expense related to disaster relief, long-term recovery, and restoration of infrastructure, housing, or economic revitalization that responds to declared disaster FEMA DR-4266, DR-4269, and DR-4272.

G. Use of Urgent Need

Each subrecipient receiving 2016 Floods CDBG-DR funds will document how all activities or projects funded under the urgent need national objective respond to a disaster-related impact identified by the subrecipients. The CDBG certification requirements for documentation of urgent need, located at 24 CFR 570.208(c) and 24 CFR 570.483(d), are waived for the grants under this notice until 24 months after HUD first obligates funds to the grantee.

It is anticipated that the use of the urgent need national objective will be limited. At least 70 percent of the entire CDBG-DR grant award must be used for activities that benefit low- and moderate-income persons.

H. Citizen Participation

The citizen participation plan for the 2016 Floods allocation as required by the Federal Register, Vol. 81, No. 224, Monday, November 21, 2016, will provide a reasonable opportunity of at least fourteen (14) days for citizen comment and ongoing citizen access to information about the use of grant funds.

- Before the GLO adopts the Action Plan for this grant or any substantial amendment to this grant, the GLO will publish the proposed plan or amendment on TexasRebuilds.org — the official website for the GLO's

Community Development and Revitalization program which administers CDBG-DR grant funds for the state.

- The GLO and/or subrecipients will notify affected citizens through electronic mailings, press releases, statements by public officials, media advertisements, public service announcements, and/or contacts with neighborhood organizations.
- The GLO will ensure that all citizens have equal access to information about the programs, including persons with disabilities (vision and hearing impaired) and limited English proficiency (LEP). A Spanish version of the action plan will be available. The GLO consulted the *Final Guidance to Federal Financial Assistance Recipients Regarding Title VI, Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons*, published on January 22, 2007, in the Federal Register (72 FR 2732) in order to comply with citizen participation requirements.
- Upon subsequent publication of the Action Plan or substantial amendments, the GLO will provide a reasonable opportunity of at least fourteen (14) days and have a method for receiving comments.
- The GLO will take comments via USPS mail, fax or email:

Texas General Land Office
Community Development and Revitalization
Attn: Ellen Kinsey
P.O. Box 12873
Austin, TX 78711-2873
Fax: 512-475-5150
Email: cdr@glo.texas.gov

1. Public Website

The GLO will make the following items available on its website: (1) the Action Plan (including all amendments); each Quarterly Performance Report (QPR) as created using the Disaster Recovery Grant Reporting System (DRGR) system; (2) procurement, policies and procedures; (3) executed CDBG-DR contracts; and (4) status of services or goods currently being procured by the GLO (e.g., phase of the procurement, requirements for proposals, etc.).

2. Consultation

The GLO consulted with the five HUD identified “most impacted” area counties and conducted outreach for the other 71 impacted counties. The GLO consultation and outreach included the following:

- 2016: Created a website page for all information related to 2016 Storms and Floods. The web page is accessible from TexasRebuilds.org.
- April 2016: The GLO sent a letter to all eligible cities, counties, and councils of government located in the disaster-declared counties. This included Texas state representatives, Texas state senators, and congressional representatives.
- April 2016: Created a Recovery Needs survey for all impacted entities. The GLO has received 54 completed surveys.
- January 2017: The GLO presented to the Texas Association of Regional Councils regarding the allocation.
- January/March 2017: The GLO consulted with the HUD-identified “most impacted” counties.
- February 2017: The GLO presented to the Central Texas Voluntary Organizations Active in Disaster regarding the allocation.

3. Non-substantial Amendment

The GLO will notify HUD when it makes any plan amendment that is not substantial. HUD will be notified at least five business days before the amendment becomes effective. HUD will acknowledge receipt of the notification of non-substantial amendments via email within five (5) business days.

4. Consideration of Public Comments

The GLO will consider all comments, received orally or in writing, on the Action Plan or any substantial amendment. A summary of these comments or views located and the GLO's response to each located in Appendix C must be submitted to HUD with the Action Plan or substantial amendment.

5. Citizen Complaints

The GLO will provide a timely written response to every citizen complaint. The response will be provided within fifteen (15) working days of the receipt of the complaint, if practicable.

6. Waivers

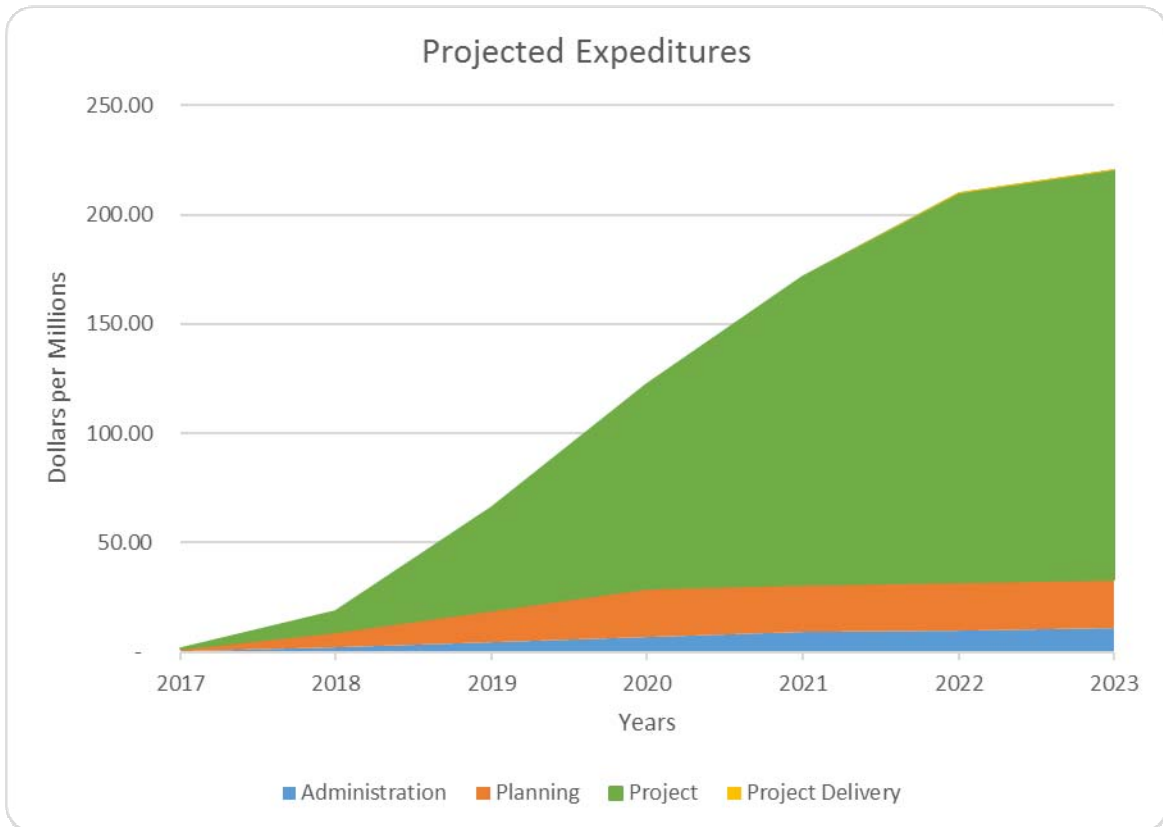
The Appropriations Act authorizes the Secretary of HUD to waive, or specify alternative requirements for any provision of any statute or regulation that the Secretary administers in connection with the obligation by the Secretary, or use by the recipient, of these funds and guarantees, except for requirements related to fair housing, nondiscrimination, labor

standards, and the environment (including requirements concerning lead-based paint), upon: (1) A request by the grantee explaining why such a waiver is required to facilitate the use of such funds or guarantees; and (2) a finding by the Secretary that such a waiver would not be inconsistent with the overall purpose of the Housing and Community Development (HCD) Act. Regulatory waiver authority is also provided by 24 CFR 5.110, 91.600, and 570.5. At this time, the GLO is not requesting any additional waivers other than those already granted in Federal Registers associated with the funds under this Action Plan.

I. Performance and Expenditure Schedule

The GLO has developed a performance and expenditure schedule that includes projected performance of both expenditures and outcome measures for project, planning, and administration activities shown in the graph below:

Figure 6: Projects Expenditures Timeline



V. Appendix A – Eligible Counties

County	Most Impacted	DR-4266	DR-4269	DR-4272
Anderson	N	N	Y	N
Angelina	N	Y	N	N
Austin	N	N	Y	Y
Bandera	N	N	N	Y
Bastrop	N	N	Y	Y
Bosque	N	N	Y	Y
Brazoria	Y	N	N	Y
Brazos	N	N	N	Y
Brown	N	N	N	Y
Burleson	N	N	N	Y
Caldwell	N	N	N	Y
Callahan	N	N	Y	Y
Cass	N	Y	Y	N
Cherokee	N	N	Y	N
Coleman	N	N	N	Y
Colorado	N	N	Y	N
Comanche	N	N	N	Y
Coryell	N	N	Y	N
Eastland	N	N	N	Y
Erath	N	Y	N	Y
Falls	N	N	N	Y
Fayette	N	N	Y	Y
Fisher	N	N	N	Y
Fort Bend	Y	N	Y	Y
Gregg	N	Y	N	N
Grimes	N	N	Y	Y
Hall	N	N	N	Y
Hardin	N	N	N	Y
Harris	Y	N	Y	Y
Harrison	N	Y	Y	N
Henderson	N	Y	N	N
Hidalgo	N	N	N	Y
Hood	N	Y	N	Y
Houston	N	N	N	Y

County	Most Impacted	DR-4266	DR-4269	DR-4272
Jasper	N	Y	N	Y
Jones	N	N	Y	N
Kleberg	N	N	N	Y
Lamar	N	Y	N	N
Lee	N	N	N	Y
Leon	N	N	N	Y
Liberty	N	N	Y	Y
Limestone	N	Y	N	N
Madison	N	Y	N	Y
Marion	N	Y	N	N
Milam	N	N	Y	N
Montgomery	Y	N	Y	Y
Navarro	N	N	N	Y
Newton	Y	Y	N	N
Orange	N	Y	N	N
Palo Pinto	N	N	N	Y
Parker	N	Y	Y	Y
Polk	N	N	N	Y
Red River	N	Y	N	N
Sabine	N	Y	N	N
San Augustine	N	Y	N	N
San Jacinto	N	N	Y	Y
Shelby	N	Y	N	N
Smith	N	N	Y	N
Somervell	N	N	N	Y
Stephens	N	N	N	Y
Throckmorton	N	N	N	Y
Travis	N	N	N	Y
Trinity	N	N	N	Y
Tyler	N	Y	N	Y
Upshur	N	N	Y	N
Van Zandt	N	N	Y	N
Walker	N	Y	N	Y
Waller	N	N	Y	Y
Washington	N	N	Y	Y
Wharton	N	N	Y	N
Wood	N	N	Y	N

VI. Appendix B – Certifications

24 CFR 91.325 is waived. Each State receiving a direct allocation under this notice must make the following certifications with its Action Plan:

- a. The grantee certifies that it has in effect and is following a residential anti-displacement and relocation assistance plan in connection with any activity assisted with funding under the CDBG program.
- b. The grantee certifies its compliance with restrictions on lobbying required by 24 CFR part 87, together with disclosure forms, if required by part 87.
- c. The grantee certifies that the action plan for Disaster Recovery is authorized under state and local law (as applicable) and that the grantee, and any entity or entities designated by the grantee, and any contractor, subrecipient, or designated public agency carrying out an activity with CDBG-DR funds, possess(es) the legal authority to carry out the program for which it is seeking to fund, in accordance with applicable HUD regulations and this notice. The grantee certifies that activities to be undertaken with funds under this notice are consistent with its action plan.
- d. The grantee certifies that it will comply with the acquisition and relocation requirements of the URA, as amended, and implementing regulations at 49 CFR part 24, except where waivers or alternative requirements are provided for in this notice.
- e. The grantee certifies that it will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u), and implementing regulations at 24 CFR part 135.
- f. The grantee certifies that it is following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105 or 91.115, as applicable (except as provided for in notices providing waivers and alternative requirements for this grant). Also, each UGLG receiving assistance from a state grantee must follow a detailed citizen participation plan that satisfies the requirements of 24 CFR 570.486 (except as provided for in notices providing waivers and alternative requirements for this grant).
- g. Each state receiving a direct award under this notice certifies that it has consulted with affected UGLGs in counties designated in covered major disaster declarations in the non-entitlement, entitlement, and tribal areas of the state in determining the uses of funds, including the method of distribution of funding, or activities carried out directly by the state.
- h. The grantee certifies that it is complying with each of the following criteria:
 1. Funds will be used solely for necessary expenses related to disaster relief, long-term recovery, restoration of infrastructure and housing and economic revitalization in the most impacted and distressed areas for which the President declared a major disaster in 2016 pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1974 (42 U.S.C. 5121 et seq.) but prior to September 29, 2016.

2. With respect to activities expected to be assisted with CDBG-DR funds, the Action Plan has been developed so as to give the maximum feasible priority to activities that will benefit low- and moderate-income families.
 3. The aggregate use of CDBG-DR funds shall principally benefit low- and moderate-income families in a manner that ensures that at least 70 percent (or another percentage permitted by HUD in a waiver published in an applicable Federal Register notice) of the grant amount is expended for activities that benefit such persons.
 4. The grantee will not attempt to recover any capital costs of public improvements assisted with CDBG-DR grant funds, by assessing any amount against properties owned and occupied by persons of low- and moderate-income, including any fee charged or assessment made as a condition of obtaining access to such public improvements, unless:
 - (a) Disaster recovery grant funds are used to pay the proportion of such fee or assessment that relates to the capital costs of such public improvements that are financed from revenue sources other than under this title; or
 - (b) For purposes of assessing any amount against properties owned and occupied by persons of moderate income, the grantee certifies to the Secretary that it lacks sufficient CDBG funds (in any form) to comply with the requirements of clause (a).
- i. The grantee certifies that the grant will be conducted and administered in conformity with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the Fair Housing Act (42 U.S.C. 3601–3619) and implementing regulations, and that it will affirmatively further fair housing.
 - j. The grantee certifies that it has adopted and is enforcing the following policies, and, in addition, states receiving a direct award must certify that they will require UGLGs that receive grant funds to certify that they have adopted and are enforcing:
 1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
 2. A policy of enforcing applicable state and local laws against physically barring entrance to or exit from a facility or location that is the subject of such nonviolent civil rights demonstrations within its jurisdiction.
 - k. The grantee certifies that it has adopted and is enforcing the following policies, and, in addition, states receiving a direct award must certify that they will require UGLGs that receive grant funds to certify that they have adopted and are enforcing:
 1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations; and

2. A policy of enforcing applicable state and local laws against physically barring entrance to or exit from a facility or location that is the subject of such nonviolent civil rights demonstrations within its jurisdiction.
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- l. The grantee certifies that it (and any subrecipient or administering entity) currently has or will develop and maintain the capacity to carry out disaster recovery activities in a timely manner and that the grantee has reviewed the requirements of this notice and requirements of the Appropriations Act applicable to funds allocated by this notice, and certifies to the accuracy of its certification documentation referenced at A.1.a. under section VI and its risk analysis document referenced at A.1.b. under section VI.
 - m. The grantee certifies that it will not use CDBG-DR funds for any activity in an area identified as flood prone for land use or hazard mitigation planning purposes by the state, local, or tribal government or delineated as a Special Flood Hazard Area in FEMA's most current flood advisory maps, unless it also ensures that the action is designed or modified to minimize harm to or within the floodplain, in accordance with Executive Order 11988 and 24 CFR part 55. The relevant data source for this provision is the state, local, and tribal government land use regulations and hazard mitigation plans and the latest issued FEMA data or guidance, which includes advisory data (such as Advisory Base Flood Elevations) or preliminary and final Flood Insurance Rate Maps.
 - n. The grantee certifies that its activities concerning lead-based paint will comply with the requirements of 24 CFR part 35, subparts A, B, J, K, and R.
 - o. The grantee certifies that it will comply with environmental requirements at 24 CFR part 58.
 - p. The grantee certifies that it will comply with applicable laws.

VII. Appendix C – Public Comment

The State of Texas Plan for Disaster Recovery was released on March 10, 2017. The public comment period for the document ran to March 27, 2017. GLO-CDR distributed a Statewide press release announcing the availability of the Plan on the TexasRebuilds.org website. Additionally, GLO-CDR sent out an email to over 1,100 recipients across the 71 eligible counties targeting local emergency management coordinators, county and local government officials, and other interested parties.

List of Those that Submitted Comment:

NAME	COUNTY
Amy McGalin	Newton County
Andres Garza Jr.	City of Wharton
Caroline Egan	Fort Bend County
Dale Bailey	Newton County
Dana Ashmore	Newton County
Brenda Meadows	Newton County
Gwyneth Teves	City of Wharton
Holly Hardin	Newton County
Hope Hardin	Newton County
Keith Jones	Deweyville ISD
Mary Itz	City of Houston
Monica Badillo	Hidalgo County
Paul Price	Newton County
Tami Haney	Newton County
Tom McCasland	City of Houston
Valde Guerra	Hidalgo County

The following is a summary of the comments received as well as the response.

Comment #1: Action Plan Content Edits

Comments were made that there are typos in the 2016 Action plan. These are located on page 10 as well as on page 20.

Staff Response #1: These typos have been fixed and integrated into the final draft of the Action Plan.

Comment #2: Usage Considerations for Grant Funding

Comments were made indicating how residents feel that funds should be spent in Newton County. These citizens request that funds be provided to the Deweyville Elementary School District, spent on the elderly who are living in temporary housing, and that funds should be spent with proper

oversight, transparency, and on projects related to damages from the 2016 flooding. Newton County citizens also requested that funds be spent on roads that are damaged or that were damaged by flooding.

Staff Response #2: All projects must be eligible for CDBG-DR funds and have damages that are tied to the specific flooding disasters. The GLO Community Development and Revitalization (GLO-CDR) program will be required by the U.S. Department of Housing and Urban Development (HUD) to conduct the proper oversight and reporting on how subrecipients are expending funds. GLO-CDR will ensure proper oversight and transparency and will publish Quarterly Progress Reports (QPRs) as required by HUD and will make these available through the www.TexasRebuilds.org website.

Comment #3: Unmet Needs in Newton County

Comments were made indicating that there were several unmet needs in the county of Newton. Newton County officials conducted a survey of citizens that had experienced damages because of the flooding.

Staff Response #3: GLO-CDR appreciates the efforts made by Newton County to capture the unmet needs of citizens. All efforts will be made by GLO-CDR to encourage CDBG-DR subrecipients to consider homes damaged by the disaster. It is further encouraged that citizens of Newton county maintain communication with their elected representatives as well as frequently visit www.TexasRebuilds.org to stay informed on the status of applications and funding.

Comment #4: Request for Modification of Breakdown for Allocation Weighting Factors

Comments were made requesting that changes be made to the breakdown for Allocation Weighting Factors that were used in the determination of funds that should be received by the Most Impacted counties of Brazoria, Fort Bend, Harris, Montgomery, and Newton counties.

Staff Response #4: GLO-CDR worked extensively to ensure that the funding breakdown was the most equitable and fair based on the data that was available. The current scoring system was developed with consultation across the agency and designed to reflect the needs for each Most Impacted county. GLO- CDR appreciates the comments received regarding the allocation breakdown scoring, but will not be able to modify these scores to accommodate the request of the commenters.

Comment #5: Place More Focus on the Housing Portion of the Action Plan

A comment was made indicating that the action plan should focus more on the housing portion of the plan and that the efforts that result from the action plan should attempt to get citizens back into their homes.

Staff Response #5: The Federal Register requires that each grantee considers and addresses its unmet housing recovery needs. Further, the grantee must identify how unmet housing needs will be

addressed or how its economic revitalization or infrastructure activities will contribute to the long-term recovery and restoration of housing in the most impacted and distressed areas. In its current form, the action plan does address this.

Comment #6: Applying for a Portion of the Statewide Flood Management Study Funding

A comment was made indicating that a subrecipient would like to apply for a portion of a statewide planning study. It was stated additionally that a localized county study would help in the understanding and documentation on how the creation of roads and infrastructure affects flooding in their region. It was further stated that counties will be the best-equipped to perform this type of study.

Staff Response #6: The criteria and methods for approach to this Statewide Flood Management Study will be developed further as planning is underway. Considerations at the county level will be addressed in the development of this study.

Comment #7: Comment Regarding a Local Grant Manager

A comment was made indicating that a grant manager should not be considered in the management of grant funds.

Staff Response #7: GLO-CDR has developed a procurement policy and guidance that must be followed by local subrecipients seeking grant managers. This new procurement policy and technical guidance must be followed in the effective execution of grant manager procurement by subrecipients. This effort will ensure the efficient and effective process that subrecipients will engage in when procuring grant management vendors.

Comment #8: Local School for Project Consideration

A letter was received regarding the consideration of a local school that had experienced significant impact from the 2016 floods.

Staff Response #8: All projects will be considered based on the damages from the flooding disasters and the three national objectives of serving low-to-moderate income persons, addressing slum and blight, and addressing an urgent need.

Comment #9: Social Vulnerability Index (SoVI)

A comment was submitted regarding the details of the social vulnerability index.

Staff Response #9: The Social Vulnerability Index (SoVI) 2010-14 measures the social vulnerability of U.S. counties to environmental hazards. The index is a comparative metric that facilitates the examination of the differences in social vulnerability among counties. SoVI is a valuable tool for policy makers and practitioners because it graphically illustrates the geographic variation in social vulnerability. It shows where there is uneven capacity for preparedness and response and where

resources might be used most effectively to reduce the pre-existing vulnerability. SoVI also is useful as an indicator in determining the differential recovery from disasters using empirically-based information.