Plan for Disaster Recovery
U. S. Department of Housing and Urban Development (HUD)

Section 239 Appropriations Act, 2012
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State of Texas
Action Plan for Disaster Recovery
DR-4029-Texas

Introduction

According to the Texas Governor's website, 2011 was one of the worst wildfire seasons in recent memory[1]. While extensive areas of Texas experienced damage from the 2011 wildfire season, the most significant losses and major damage to homes, businesses, public lands (parks) and other public facilities (hospitals & schools) stemmed from a series of devastating wildfire events within the counties that were Presidentially declared disasters in the 2011 Federal Emergency Management Agency (FEMA) DR-4029-TX major disaster declaration (see Appendices A and B for detail).

A. Disaster Impacts and Needs Assessment

A total of 3.9 million acres and approximately 5,900 structures were damaged and/or destroyed in Texas during the 2011 wildfire season, which occurred from November 15, 2010 through October 31, 2011. 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 record breaking 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.[2]

To date, FEMA funds have paid for $12,887,212 in Public Assistance (PA) grants and $14,142,999 in Individual Assistance (IA) grants for DR-4029-TX[3]. Although the amount paid by insurance providers is unknown at this time, it can be inferred that FEMA assistance did not cover the entire amount of remaining damages once insurance payouts had been utilized. CDBG Disaster Recovery funds are invaluable in the recovery of the communities affected and would serve to close the gap of unmet needs.

I. Evaluation of Need for Housing, Infrastructure, and Economic Development

In order to assess level of need, the Texas General Land Office (GLO) has identified concentrations of Low and Moderate Income (LMI) households, acreage burned, Individual Assistance dollars awarded and Project Worksheets (FEMA Public Assistance) in each Presidentially declared disaster affected county (see maps in Appendix F). These data sets serve to quantify the level of damage in these areas.

[1] http://governor.state.tx.us/wildfires/
[2] Texas Forest Service
[3] FEMA website, May 15, 2012

a. Housing

According to HUD, the top five counties that were most severely impacted by the 2011 wildfire season were Bastrop, Marion, Upshur, Travis, and Montgomery respectively. Although the HUD Needs Assessment identifies both housing and business damage, the GLO has opted to provide housing assistance in Bastrop County only because of the limited housing damage in remaining declared counties.

The GLO also reviewed FEMA Individual Assistance (IA) data (number of IA eligible households) in order to support the determination of providing housing assistance to Bastrop County only; according to FEMA the top five counties with the highest concentration of eligible households are Bastrop, Waller, Travis, Montgomery, and Marion respectively. Although HUD's assessment and FEMA's assessment are slightly different, they are more or less in agreement in that the majority of the need for housing assistance lies within Bastrop.

b. Infrastructure

According to the Texas Forest Service the county that received the highest amount of damage with respect to acreage burned was Cass County (42,630 acres lost), with Bastrop County (35,193 acres lost) coming in second. Based on these numbers, it is clear that the infrastructure needs stretch far beyond Bastrop County (see Appendix F).

Upon review of FEMA Public Assistance (PA) numbers (amount of federal share funding each county is eligible for) it appears that, according to FEMA, Bastrop was the most heavily affected, with Leon, Walker, Gregg, and Upshur counties coming in very closely behind.

As is displayed by the above two data sets, acreage lost does not always indicate the most damage to infrastructure or the level of need with respect to recovery funding. Due to the level of need for recovery funding being spread across many counties within the DR-4029-TX Presidential Declaration, the GLO will be offering a competitive infrastructure grant to all counties that received a declaration for this disaster.

Additionally, due to Bastrop County leading in infrastructure loss according to FEMA PA numbers, the GLO will be directly awarding twenty percent (20%) of the eighty percent (80%) allocated to Bastrop County for infrastructure recovery.

c. Economic Development

In order to assess infrastructure needs as it relates to Economic Development, the GLO looks to the HUD Needs Assessment which cites "SBA for management of its disaster assistance loan program for business real estate repair and replacement as well as content loss (12/22/2011)" as the source for the results of that assessment; 23 counties

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out of the 65 declared under DR-4029-TX have been identified as priority according to the HUD Needs Assessment. When considering those 23 counties identified by HUD, four percent (4%) of the overall need in that subset is related to unmet business needs. The GLO has reviewed FEMA's most recent IA Summary ("4029-TX Individual Assistance program Summary COB 4.27.12") and has identified that, out of all 65 declared counties under the DR-4029-TX disaster; nine percent (9%) of the unmet needs are tied to business loss according to FEMA's SBA data.

Due to the percent of business loss being only four percent (4%) and nine percent (9%) respectively, Economic Development will not be a separate piece of Texas's recovery program; however, eligible Economic Development activities and projects will be allowed should that be a part of an applicant's infrastructure application.

B. General Requirements

I. Floodplain

Where possible, the GLO will work with local jurisdictions to ensure that any damaged housing or infrastructure sites are not located in regulatory floodplains. However, should housing and/or infrastructure sites be located in the regulatory floodplain, GLO will work with the local floodplain administrator on the responsible removal of regulatory barriers prior to reconstruction to ensure proper land use decisions.

Any sites, or portions of sites, assisted with CDBG Disaster Recovery Programs that fall within a 100 year floodplain will be required to carry flood insurance.

II. Short-and-Long Term Planning

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. The GLO will 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 the future well being of these damaged areas such as modernization of public facilities, stimulation of the local economy, and rebuilding of housing stock.

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III. Funding Sources

The GLO is expecting the award of $31,319,686 from HUD through a Community Development Block Grant (CDBG) for Disaster Recovery to assist in the recovery efforts from the 2011 Texas wildfire season for specific disaster-related purposes. Although a match is not required, Bastrop County intends to use the forthcoming HUD grant to compliment local and ancillary grant funds in their infrastructure program.

IV. Quality Construction Methods

The GLO will require both quality inspections and code compliance inspections on all projects. All new homes will adhere to the construction specifications to be issued by the GLO. These specifications will emphasize high quality, energy efficiency, sustainability, and mold resistance as well as incorporate standard building practices for wildfire prone areas. For infrastructure projects, the GLO will require all grantees to submit engineering plans for technical and quality reviews. Site inspections will be required on all projects to ensure quality and compliance with building codes.

V. Provision of Housing

A site specific environmental study will be performed for every site. In the event that a site is located in a floodplain, the house will be built at the appropriate elevation to resist flooding and the GLO will require inspections and an Elevation Certificate. The goal of the GLO is to provide adequate, flood-resistant housing for all affected income groups within the disaster affected areas.

A variety of target populations are eligible to be served including homeless and special needs populations. CDBG Disaster Recovery funds received by the State will be used in the recovery efforts from the 2011 Texas Wildfire season for specific disaster-related purposes. While these funds do not exclude eligibility to homeless individuals or other special needs populations, they are not set aside specifically for such. It is anticipated that the CDBG Disaster Recovery funds may address the needs of people with disabilities, and homeless, under the programs developed and administered through this program. The State also has various other programs that address the housing needs of these populations that are unrelated to this grant.

VI. 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 government, and local non-profit organizations to ensure minimal displacement. Placement in temporary housing for applicants receiving reconstructed or rehabilitated homes through this program for the time period that they are displaced due to construction will be provided where necessary (interim assistance will be limited to three months and will be decided on a case by case basis).

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VII. Program Income

Any program income earned as a result of activities funded under this grant will be subject to 24 CFR §570.489(e) as waived, which defines program income. Program income generated under individual contracts with the sub-grantees will be returned to the GLO.

VIII. Performance and Expenditure Schedule

The GLO has developed a performance and expenditure schedule that includes projected performance of both expenditures and outcome measures for housing, infrastructure, economic development, and planning and administration activities (Appendix C).

C. Preventing Fraud, Abuse of Funds and Duplication of Benefits

I. Fraud and Abuse of Funds

The GLO follows monitoring and audit standards set forth by the CDBG Disaster Recovery Program that will be used for monitoring and oversight of the disaster recovery funds. 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 intended eligible activities, as well as meet the 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 the Single Audit Act (A-133) 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 process 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 Notice. These procedures will ensure that there is no duplication of benefits according to the Stafford Act.

The GLO will monitor the compliance of grantees and HUD will monitor compliance with this requirement. Expenditures may be disallowed if the use of the funds is not an eligible CDBG activity, does not address disaster related needs directly related to DR-4029-TX or does not meet at least one of the three (3) national CDBG objectives. In such cases, the grantee would be

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required to refund the amount of the grant that was disallowed. In addition, and in order to ensure funds are spent promptly and accordingly, contracts may be terminated if identified timetables/milestones are not met.

Monitoring efforts include but are not limited to the following:

- Identifying and tracking program and project activities as well as ensuring the activities were the result of damage from DR-4029-TX;
- Identifying technical assistance needs of grantees;
- Ensuring timely expenditure of CDBG funds;
- Documenting compliance with programmatic rules;
- Preventing Fraud, Waste and Abuse;
- Identifying innovative tools and techniques that help satisfy established goals; and
- Ensuring quality workmanship in CDBG funded projects.

In determining appropriate monitoring of the grant, the GLO will consider prior CDBG grant administration, audit findings, as well as factors such as complexity of the project. The GLO will determine the areas to be monitored, the number of monitoring visits and their frequency. All grants will be monitored no less than one time during the contract period. The monitoring will address CDBG Disaster Recovery Program compliance with contract provisions, including national objectives, financial management and the requirements of 24 CFR Part 58 (Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities) or Part 50 (Protection and Enforcement of Environmental Quality). The GLO will utilize checklists similar to those used in monitoring regular CDBG Disaster Recovery Program activities.

The GLO, as applicable, will contract with each grantee as independent contractors who will be required to hold GLO harmless and indemnify them from any acts of omissions of the contractor. Section 321.022(a) of the Texas Government Code requires that if the administrative head of a department or entity that is subject to audit by the state auditor has reasonable cause to believe that money received from the state by the department, by entity, by client or by contractor of the department or entity may have been lost, misappropriated, or misused, or that other fraudulent or unlawful conduct has occurred in relation to the operation of the department or entity, the administrative head shall report the reason and basis for the belief to the state auditor. The GLO is responsible for referring suspected fraudulent activities to the State Auditor's Office as soon as is administratively feasible. The State Auditor reports directly to the Texas Legislature.

II. Duplication of Benefits

Duplication of Benefits (DOB) is strictly prohibited. In general, Section 312 of the Robert T. Stafford Disaster Assistance and Emergency Relief Act (42 U.S.C. 5155), as amended, prohibits

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any person, business concern, or other entity from receiving financial assistance with respect to any part of a loss resulting from a major disaster as to which he/she has received financial assistance under any other program or from insurance or any other source. In order to comply with this law, grantees must ensure that each activity provides assistance to a person or entity only to the extent that the person or entity has a disaster recovery need that has not been met.

Given the often complex nature of this issue, HUD has published a separate Federal Register Notice explaining the duplication of benefits requirements applicable to CDBG disaster recovery grantees; it can be found at 76 FR 71060 (published November 16, 2011).

Housing

To avoid DOB, the wildfire housing award will be reduced by the following if such benefits were or will be paid to the household toward any of the activities included in the housing award:

- Federal Emergency Management Agency (FEMA) grants;
- Small Business Administration (SBA) loans identified by SBA; and
- Homeowner Insurance (HOI) proceeds

FEMA, SBA and HOI are considered to be a DOB and will be deducted from the construction starting values if the aforementioned assistance was not utilized/spent as it was intended by FEMA, SBA or the HOI. The amount of DOB will be obtained from the third party from whom the benefit is derived. In some cases, if after sufficient attempts it is considered unlikely to obtain and verify third party data, an affidavit or inspection may be used in its place as necessary.

All applicable claims (including insurance payments, unpaid claims, lawsuits and settlements) paid to applicants not included in the original benefit determination calculation and/or after their closing appointment, must be subrogated to the CDBG Disaster Recovery Program to prevent a duplication of benefits.

In addition, documentation of possible duplication of benefits must be included in each applicant file even if no funds were received from FEMA, SBA, HOI or any other source. A copy of this documentation must be provided to the CDBG Disaster Recovery Program as part of the application documentation.

Infrastructure and Economic Development

DOB includes any payments or potential payments made to the applicant by identified parties that represent disaster assistance for activities reimbursable by, or for which funds are made available for the same loss that the CDBG Disaster Recovery Program is providing assistance, which is not limited to Wildfire recovery payments. Any portion of the DOB that has been

determined to be funds spent by the applicant on "Allowable Activities" will reduce the amount considered to be a DOB.

In addition, documentation of possible duplication of benefits must be included in each applicant file even if no funds were received from FEMA, SBA, HOI or any other source. A copy of this documentation must be provided to the CDBG Disaster Recovery Program as part of the application documentation.

D. State Administered Disaster Recovery Program

I. Action Plan

The Action Plan will describe the following activities related to disaster relief, long-term recovery, and restoration of infrastructure, housing and economic revitalization in the most impacted and distressed areas affected by the Wildfire disaster occurring during 2011:

- 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.

This Action Plan will be used by the GLO to provide the approximate $31 million in CDBG disaster recovery funds to be used toward meeting unmet housing, infrastructure, and other eligible community and economic revitalization needs associated with DR-4029-TX.

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 re-allocation of more than $1 million; or
- The addition or deletion of an activity

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II. Program Budget

Bastrop County	**$**	**23,802,962**
Housing	$	19,042,369 *
Single Family Repair/Recon	$	17,138,132
Down Payment Assistance	$	1,904,237
Infrastructure	$	4,760,592
Estimated # of homes (incl.DPA)		230
Balance of Funds	**$**	**5,950,740**
Infrastructure Competition	$	5,950,740
State Admin	**$**	**1,565,984**
Total Allocation	**$**	**31,319,686**
*Housing Allocations include Project Delivery & Interim Assistance		

a) Grant Allocations

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 Texas counties as declared in DR-4029-TX.

As required by the Federal Register, the GLO will be allocating eighty percent (80%) of the overall grant to the County of Bastrop; with eighty percent (80%) of that portion being allocated towards housing and twenty percent (20%) for infrastructure. Out of the 80% allocated towards housing, the GLO will be setting aside 10% (approximately $1.9 M) for a down payment assistance program; with any remaining unutilized funds out of the DPA program going back to single family repair or reconstruction.

The housing portion of the Bastrop County allocation will be administered by the GLO and their sub-contractors; the infrastructure portion of the Bastrop County allocation will be a direct award to the County and will be administered by the County under GLO oversight.

The remaining balance of the allocation, $5,950,740, will be awarded through a competition for infrastructure projects in other disaster-declared counties eligible under FEMA DR-4029-TX.

The GLO will ensure, as is required and identified in the Federal Register, at least fifty percent (50%) or $15,659,843 of the entire CDBG Disaster Recovery grant award will be used for activities that benefit low and moderate income persons.

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b) Administrative Funds

State Administrative costs will not exceed five percent (5%) for costs or overall limit of twenty percent (20%) for planning (15%) and administrative costs (5%) combined. 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 draw down of pre-agreement costs associated with eligible disaster recovery activities dating back to the date of the fire/event for grantees with appropriate documentation.

c) Application Thresholds

There must be a specific disaster related need directly attributable to the major natural disaster declaration for wildfire disaster relief, long-term recovery and/or restoration of infrastructure. 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 other 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.

III. Eligibility and Scoring Criteria

According to the Department of Housing and Urban Development (HUD), only those that were affected within the disaster declared counties of FEMA DR-4029-TX 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.

a) Housing

The Wildfire CDBG Disaster Recovery Housing Program will be a State administered program based in Bastrop County and will be funded with eighty percent (80%) of Bastrop County's allocation. The GLO will be contracting with a case management firm, an environmental firm, a construction management firm, and Texas home builders to assist in the administration of the program.

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Applications for single family homeowners in Bastrop County will be processed by the contracted case management firm and will be deemed eligible or non-eligible based on the criteria outlined below. Once eligible, the damaged dwelling will be inspected to determine whether or not the dwelling will be rehabilitated or reconstructed based on specific thresholds, or if the homeowner will take part in the Disaster Recovery down payment assistance (DPA) program. Applicants will be selected by way of random lottery from the pool of complete applications, with priority given to those that are considered 80% or under Area Median Family Income (AMFI) and owned a home that was considered destroyed by the wildfire.

Applicant Eligibility

All CDBG Disaster Recovery Housing Program beneficiaries must, at a minimum:

- Have a household income not exceeding 100% of the AMFI; however, LMI households at 80% AMFI or below will be prioritized and assisted first as long as the household meets all other requirements for assistance;
- Be able to certify wildfire related damage at the time of the event;
- Be able to establish Primary Residency at the dwelling damaged by the wildfire disaster at the time of the event;
- Be able to certify that they owned the damaged property at the time of the event;
- Be able to verify current child support status or a payment plan on all adult (18 years of age and older) household members; and
- Be able to verify current property tax status or payment plan

b) Infrastructure

Funds awarded to eligible applicants for infrastructure allowable activities can be classified in two ways:

1. Infrastructure activities - the repair, replacement or relocation of damaged public facilities; or
2. Economic Development - economic revitalization can include any activity that demonstrably restores and improves some aspect of the local economy; the activity may address job losses, or negative impacts to tax revenues or businesses. Examples of eligible activities include providing loans and grants to businesses, funding job training, making improvements to commercial/retail districts, and financing other efforts that attract/retain workers in devastated communities[4]

[4] Section 239 Appropriations Act, 2012 (Pub. L. 112–55, approved November 18, 2011), 22587, section VI.D.(3)

There will be two separate infrastructure CDBG Disaster Recovery Programs under the CDBG Disaster Recovery award for the Texas Wildfire disaster:

i. Bastrop County Infrastructure Program; this will be paid for with $4,760,592 of their 80% allocation and will be a direct award to the County.

ii. Non-housing competitive award in which counties in remaining DR-4029 disaster declared counties will apply and be scored and weighted in order of the criteria listed below (scoring methodology can be found in Appendix C):

- Per capita damage during the DR-4029-TX disaster
  30 Points
- LMI component
  30 Points
- Unemployment/Economic Health
  20 Points
- Recurrence of Wildfire Damage (How often is the community significantly affected by wildfire and what is their rate of recovery for each season?)
  20 Points
- **Tie-Breaker**: What is the poverty rate (poverty percentage) of the census geographic area?

  Tied applicants will be ranked in order of poverty rate, with the higher poverty rate being ranked highest.

IV. Award Amount(s), Thresholds, and Award Process

a) Housing

i. Rehabilitation

Rehabilitation as determined by the GLO is defined as non-emergency repair or renovation of a limited specified area or portion of a housing structure. For the CDBG Disaster Recovery Program, only the rehabilitation performed on eligible participating housing must comply with local building codes standards, ordinances, FEMA and/or county floodplain elevation requirements, local health and safety codes, and the entire structure must comply with the current U. S. Department of housing and Urban Development's housing Quality Standards (HQS) Inspection criteria. Rehabilitation shall be limited to stick-built structures that have been deemed feasible for rehabilitation; rehabilitation of modular or manufactured housing units will not be eligible. Maximum award for rehabilitation: **$75,000** (Max. does not include elevation/insurance/ADA modifications/etc.). Should the

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rehabilitation estimate exceed $75,000; the project will be converted to a reconstruction.

ii. Reconstruction

Reconstruction as determined by the GLO is a structure that is determined to be beyond repair, and defined as the demolition, removal, and disposal of an existing structure; the rebuilding of a structure on the same site in substantially the same manner. Reconstruction must be done in accordance with Texas Government Code, local health and safety codes, Texas Minimum Construction Standards, International Residential Code, and FEMA floodplain regulations; reconstruction may be a stick-built structure or a modular home. Maximum award for reconstruction: **$125,000** (Max. does not include elevation/insurance/ADA modifications/etc.).

iii. Down Payment Assistance (DPA)

The DPA Program for the 2011 Bastrop Wildfires will provide financial assistance to families purchasing homes in areas impacted by the 2011 Wildfires. Financial assistance will be provided for down payment, reasonable closing costs, pre-paid items and principal reduction for either a single-family property (detached and attached 1-4 units) or a modular home/manufactured home. The program will require that the property being purchased is located within the County of Bastrop and will be subject to property taxes, as verified by current tax rolls.

The level of assistance provided for families earning up to 100% of the AMFI who are purchasing a home in the designated CDBG areas will receive up to 10% of the purchase price of the home or $20,000 whichever is less, based on the identified need.

Use of Funds: Direct financial assistance to offset portions of the down payment, reasonable closing costs, pre-paid items and/or principal write-down assistance required for a home purchase. Prepaid items include but are not limited to the initial payment for Hazard Insurance, Flood Insurance and Mortgage Insurance. Applicants who qualify and chose to participate in the DPA program may only purchase homes within the County of Bastrop.

b) Infrastructure

Awards will not be less than $200,000 and will not exceed $1,000,000, per grantee (with the exception of Bastrop County). All applications will be ranked and awarded based on the scoring criteria outlined in section D.III.b.ii in this document. In the event of a tie score, a tie-breaker factor will be applied to the tied applications in order to rank them. Applications including multiple projects will receive one cumulative score that may incorporate weighted averages by project as described in the criteria methodology.

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E. Citizen Participation

The GLO provided a reasonable opportunity of at least ten (10) calendar days for citizen comment as well as ongoing citizen access to information about the use of CDBG grant funds by doing the following:

- The GLO published the proposed plan (including the information required in this Notice for an Action Plan for Disaster Recovery) on the official website at www.glo.state.tx.us/GLO/disaster-recovery/actionplans. This web link allowed the topic of disaster recovery to be navigable by citizens and/or local government entities from the main GLO webpage. The Action Plan was and is available online in both English and Spanish.

- The GLO also coordinated public hearings in the cities of Bastrop and Tyler to ensure proper dissemination of information during the following locations, dates, and times:
  - Bastrop County: Commissioners Court Room, 804 Pecan Street, Bastrop, TX 78602, Wednesday, May 30, 2012 from 5:30pm – 7:00pm; there were 70 attendees
  - Smith County (City of Tyler) Courthouse, Central Jury room, 100 N. Broadway, Tyler, TX 75702, Thursday, May 31st, 2012 from 5:50pm – 7:00pm; there were three attendees

- Both hearing locations were fully accessible to persons with disabilities. The hearing announcements included information on accessibility requests for individuals requiring an interpreter, auxiliary aids, or other services. Additionally, staff attending the hearings spoke both English and Spanish.

- The GLO took written and verbal comments via USPS mail, fax, or email as well as at the public hearings.
  - Address: General Land Office, Attn: Katy Sellers, 301 Congress, Suite 400, Austin Texas, 78701
  - Fax: 512-447-5329
  - Email: gena.hawkins@glo.texas.gov

- The public was given until June 14th, 2012 at 5pm to submit comments to the GLO regarding the Action Plan.

As a result of comments made during the first public comment period, which resulted in a revision to the housing program's applicant selection process, a second citizen comment period was opened for seven (7) calendar days in order to give the public additional time to comment prior to the Action Plan submittal to HUD. The second public comment period ended on July 12, 2012 at 5pm.

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A summary of the comments received during both public comment periods and the reasoned responses and actions have been provided in Appendix G of this Action Plan.

In addition to complying with the public participation and comment requirements of the Federal Register, the state consulted with interested parties, such as local elected officials and Councils of Governments to aid in establishing regional prioritization of available funding that is consistent with locally identified needs.

F. Certifications

The GLO will provide a fully executed copy of the HUD required certifications for state governments.

Section 91.325 of Title 24 of the Code of Federal Regulations (CFR) is waived. Each State must make the following certifications prior to receiving a CDBG disaster recovery grant.

a. The State certifies that it will affirmatively further fair housing, which means that it has or will conduct an analysis to identify impediments to fair housing choice within the state, take appropriate actions to overcome the effects of any impediments identified through that analysis and maintain records reflecting the analysis and actions in this regard. (See 24 CFR §570.487(b)(2).
b. The State 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 Disaster Recovery Program.
c. The State certifies its compliance with restrictions on lobbying required by 24 CFR part 87, together with disclosure forms, if required by part 87.
d. The State certifies that the Action Plan for Disaster Recovery is authorized under State Law and that the State, and any entity or entities designated by the State, possess or possesses the legal authority to carry out the program for which it is seeking funding, in accordance with applicable HUD regulations and this Notice.
e. The State 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 this grant.
f. The State 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.
g. The State certifies that it is following a detailed citizen participation plan that satisfies the requirements of 24 CFR §91.115 (except as provided for in notices providing waivers and alternative requirements for this grant.), and that each unit of general local government that is receiving assistance from the State is following 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).

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h. The State certifies that it has consulted with affected units of local government in counties designated in covered major disaster declarations in the non-entitlement, entitlement and tribal areas of the state in determining the method of distribution of funding.

i. The State certifies that it is complying with each of the following criteria:

   (1) Funds will be used solely for specific disaster related purposes in areas covered by a declaration of major disasters under U.S. Department of Housing and Urban Development, Section 239 Appropriations Act, 2012 as a result of natural disasters that occurred and were declared in 2011.

   (2) With respect to activities expected to be assisted with CDBG disaster recovery 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 disaster recovery funds shall principally benefit low and moderate income families in a manner that ensures that at least fifty percent (50%) of the total amount is expended for activities that benefit such persons during the designated period.

   (4) The State will not attempt to recover any capital costs of public improvements assisted with CDBG disaster recovery 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 see 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 of HUD that it lacks sufficient CDBG funds (in any form) to comply with the requirements of Clause (A).

j. The State 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.

k. The State certifies that it has and that it will require units of general local government that receive grant funds to certify that they have adopted and are enforcing:

   (1) A policy prohibiting the use if 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 non-violent civil rights demonstrations within its jurisdiction.

l. The State certifies that each state grant recipient or administering entity has the capacity to carry out disaster recovery activities in a timely manner, or the state has a plan to increase the capacity of any state grant recipient or administering entity that lacks such capacity.

m. The State certifies that it will not use CDBG disaster recovery funds for any activity in an area delineated as a special flood hazard area in FEMA's most current flood advisory maps unless it

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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.

n. The State Certifies that it will comply with applicable laws.

G. 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 HCD Act. Regulatory waiver authority is also provided by 24 CFR 5.110, 91.600, and 570.5.[5] See Appendix E for Waiver detail.

H. Procurement

I. Grants to States. Per 24 CFR §570.489(d), a State must have fiscal and administrative requirements for expending and accounting for all funds. Furthermore, per 24 CFR §570.489(d), a State shall establish requirements for procurement policies and procedures for units of general local government based on full and open competition. All sub-grantees of a State (including units of general local government) are subject to the procurement policies and procedures required by the State.

A State may meet the above requirements by adopting 24 CFR part 85 (Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments). If a State has adopted part 85 in full, it must follow the same policies and procedures it uses when procuring property and services with its non-federal funds. However, the State must ensure that every purchase order or other contract includes any clauses required by Federal statutes and executive orders and their implementing regulations per 24 CFR §85.36(a).

If a State has not adopted 24 CFR §85.36(a), but has adopted 24 CFR §85.36(b) through (i), the State and its sub-grantees must follow State and local law (as applicable), so long as the procurements conform to applicable Federal law and the standards identified in 24 CFR §85.36(b) through (i).

[5] Section 239 Appropriations Act, 2012 (Pub. L. 112–55, approved November 18, 2011), page 22585, section IV

II. Direct grants to units of general local government. Any unit of general local government receiving a direct appropriation under this Notice will be subject to 24 CFR §85.36(b) through (i).

I. Timely Distribution of Funds

24 CFR §570.494 and 24 CFR §570.902 regarding timely distribution of funds are waived and replaced with alternative requirements under this Notice. HUD expects each grantee to expeditiously obligate and expend all funds, including any recaptured funds or program income, and to carry out activities in a timely manner. HUD will evaluate timeliness in relation to each grantees established performance and expenditure schedule as identified in its Action Plan.

HUD will, absent substantial evidence to the contrary, deem a grantee to be carrying out its programs and activities in a timely manner if the schedule for carrying out its activities is substantially met.

If a grantee is determined to be untimely pursuant to this section, and the grantee is again determined to be untimely 12 months following the initial determination, HUD may elect to recapture any unobligated funds and reallocate to another entity with the authority and capacity to carry out the remaining recovery activities, unless HUD determines that the un-timeliness resulted from factors beyond the grantee's reasonable control.

J. Performance Review Authorities

Section 104(e)(1) of the HCD Act requires that the Secretary (HUD) shall, at least on an annual basis, make such reviews and audits as may be necessary or appropriate to determine whether the recipient has carried out its activities in a timely manner, whether the recipient has carried out those activities and its certifications in accordance with the requirements and the primary objectives of the Act and with other applicable laws, and whether the recipient has a continuing capacity to carry out those activities in a timely manner.

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APPENDIX A
FEMA DR-4029-TX Disaster Declared Counties

Public Assistance

Anderson County, Bastrop County, Bosque County, Bowie County, Briscoe County, Caldwell County, Camp County, Cass County, Cherokee County, Clay County, Colorado County, Coryell County, Crockett County, Edwards County, Fayette County, Foard County, Franklin County, Grayson County, Gregg County, Grimes County, Hall County, Hardin County, Harrison County, Henderson County, Hill County, Houston County, Howard County, Hunt County, Jefferson County, Kendall County, Kimble County, La Salle County, Lee County, Leon County, Limestone County, Marion County, Matagorda County, McCulloch County, Menard County, Montague County, Morris County, Navarro County, Newton County, Nolan County, Orange County, Panola County, Pecos County, Polk County, Red River County, Reeves County, Roberts County, Rusk County, San Augustine County, Shelby County, Smith County, Sutton County, Titus County, Tyler County, Upshur County, Walker County, and Wise County.

Individual Assistance

Anderson County, Bastrop County, Caldwell County, Cass County, Colorado County, Fayette County, Gregg County, Grimes County, Harrison County, Henderson County, Hill County, Houston County, Leon County, Marion County, Montgomery County, Navarro County, Rusk County, Smith County, Travis County, Upshur County, Walker County, Waller County, and Williamson County

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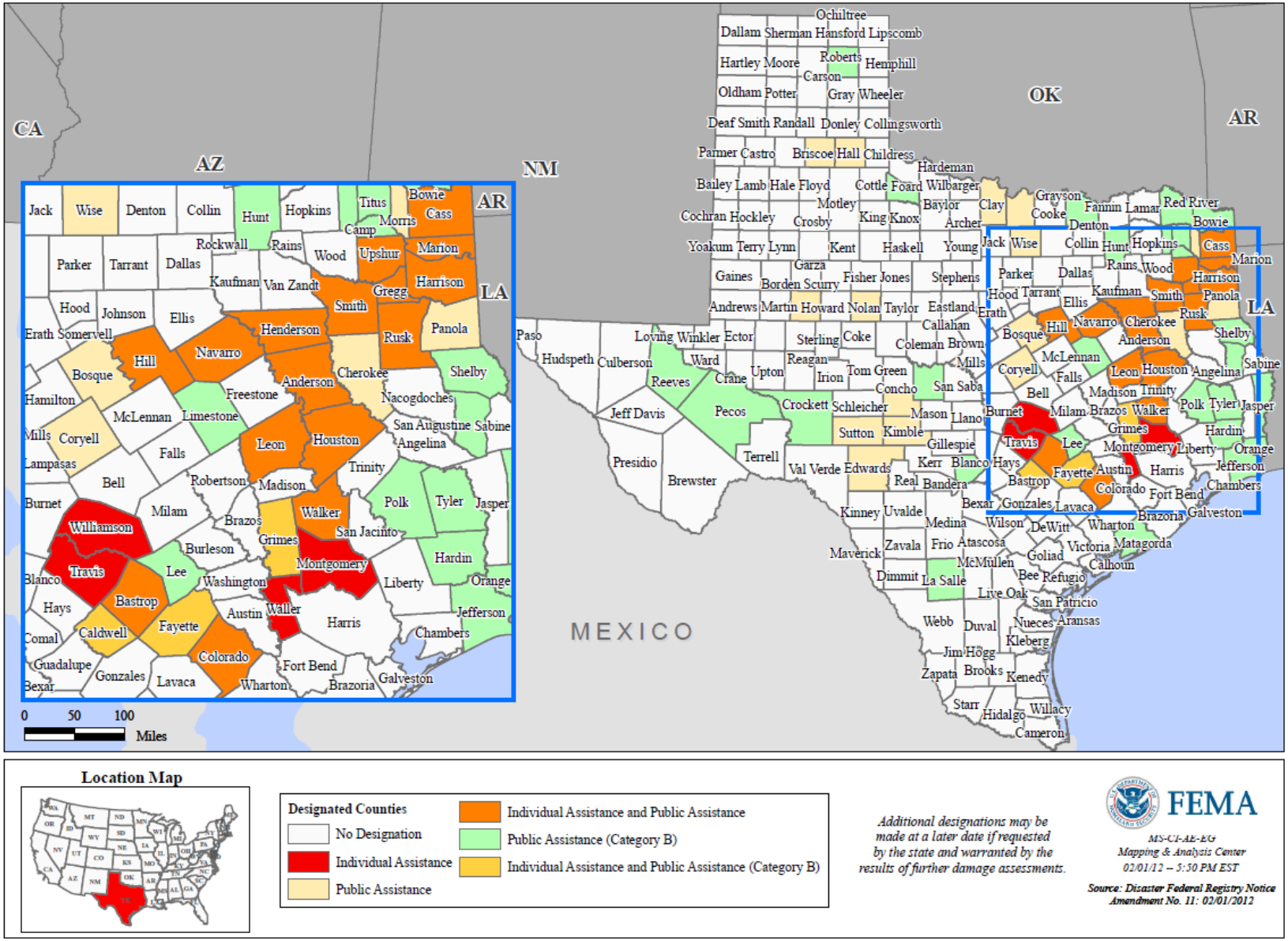
APPENDIX B

FEMA-4029-DR, Texas Disaster Declaration as of 02/01/2012



Location Map

Designated Counties

- No Designation
- Individual Assistance
- Public Assistance
- Individual Assistance and Public Assistance
- Public Assistance (Category B)
- Individual Assistance and Public Assistance (Category B)

Additional designations may be made at a later date if requested by the state and warranted by the results of further damage assessments.

FEMA

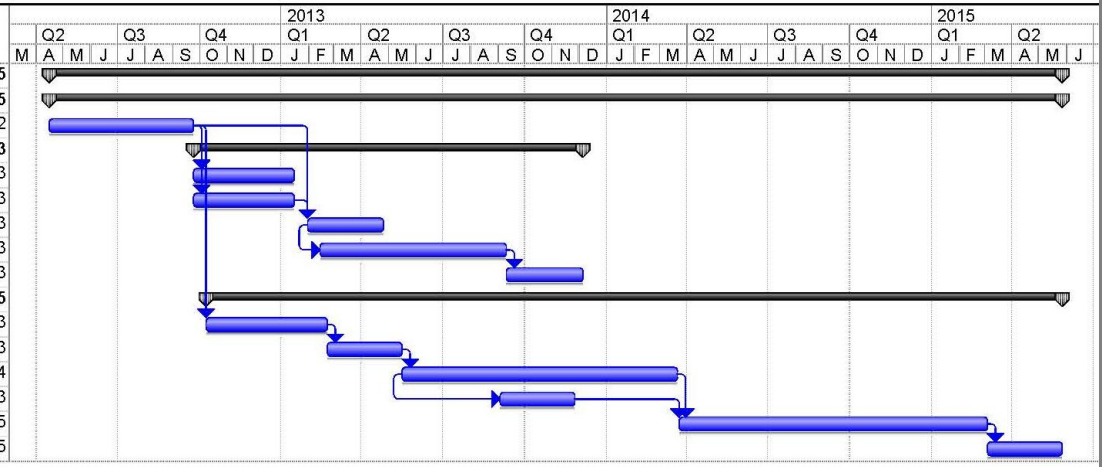
MS-C1-AE-EG
Mapping & Analysis Center
02/01/12 – 5:50 PM EST

Source: Disaster Federal Registry Notice Amendment No. 11: 02/01/2012

APPENDIX C
OVERALL PROGRAM PERFORMANCE and EXPENDITURE SCHEDULE

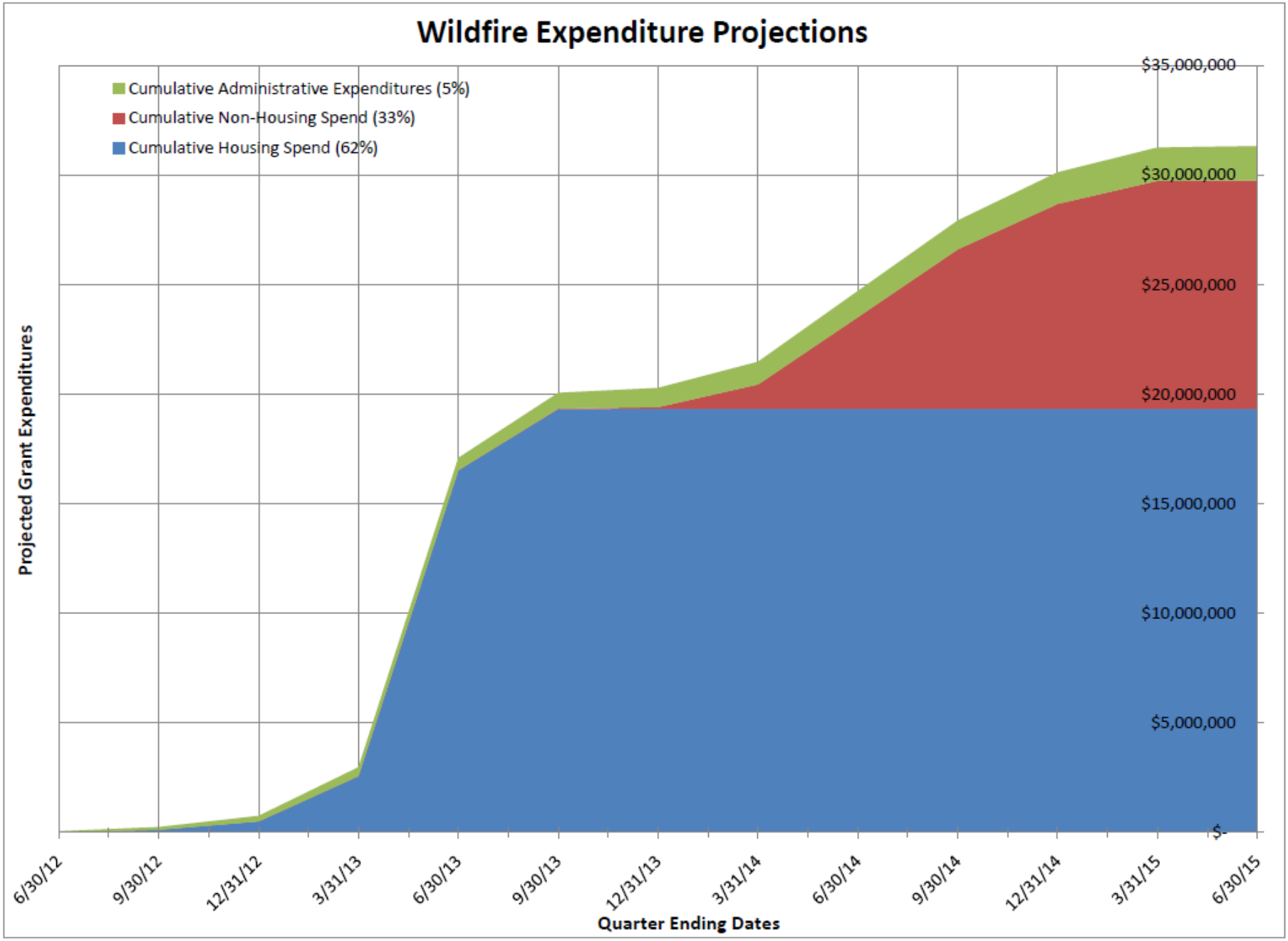
TX Wildfire Disaster Recovery Schedule

ID	Task Name	Duration	Start	Finish
1	**WildFires DR Program**	**783 days**	**Mon 4/16/12**	**Wed 5/27/15**
2	**GLO Administration**	**813 days**	**Mon 4/16/12**	**Wed 5/27/15**
3	Action Plan Development & Approval	113 days	Mon 4/16/12	Mon 9/24/12
4	**Housing Program (Bastrop, TX)**	**300 days**	**Tue 9/25/12**	**Thu 12/5/13**
5	Broad Environmental Review	75 days	Tue 9/25/12	Tue 1/15/13
6	Application Intake & Qualification	75 days	Tue 9/25/12	Tue 1/15/13
7	Site Specific Environmental Assessments	60 days	Thu 1/31/13	Thu 4/25/13
8	Construction	145 days	Thu 2/14/13	Tue 9/10/13
9	Closeout	60 days	Wed 9/11/13	Thu 12/5/13
10	**Non-Housing Program (Bastrop & Other Areas)**	**660 days**	**Tue 10/9/12**	**Wed 5/27/15**
11	Application Submission & Review	90 days	Tue 10/9/12	Thu 2/21/13
12	Applicant Award & Contracting	60 days	Fri 2/22/13	Thu 5/16/13
13	Design & Engineering	210 days	Fri 5/17/13	Fri 3/21/14
14	Environmental Assessment	60 days	Wed 9/4/13	Tue 11/26/13
15	Construction	240 days	Mon 3/24/14	Wed 3/4/15
16	Closeout	60 days	Thu 3/5/15	Wed 5/27/15



Project: Bastrop Timeline for Action Pl

Task | Progress | Summary | External Tasks | Deadline
Split | Milestone | Project Summary | External Milestone


Wildfire Expenditure Projections
Cumulative Administrative Expenditures (5%)
Cumulative Non-Housing Spend (33%)
Cumulative Housing Spend (62%)
Projected Grant Expenditures
$35,000,000
$30,000,000
$25,000,000
$20,000,000
$15,000,000
$10,000,000
$5,000,000
$-
6/30/12
9/30/12
12/31/12
3/31/13
6/30/13
9/30/13
12/31/13
3/31/14
6/30/14
9/30/14
12/31/14
3/31/15
6/30/15
Quarter Ending Dates

APPENDIX D
INFRASTRUCTURE SCORING METHODOLOGY

Per capita damage (What is the applicant's rate of FEMA Public Assistance (PA) and Individual Assistance (IA) per capita?)
Data Source: HUD 2010 LOWMOD Income Data and FEMA applicant data as outlined by the IA and PA Summary reports
Maximum 30 Points

Methodology: The latest available amount of all FEMA Public Assistance (PA) and Individual Assistance (IA) for the applicant, as provided by the application preparer, will be divided by the total population for the applicant to determine the amount of damages per capita. This average amount of damage per capita will be divided by a factor of 2.5, which determines the raw score to two decimal places. Up to a score of 30, the raw score is equal to the actual score. The maximum score is capped at 30 points. A raw score of 30 or more will equate to an actual score of 30.

LMI component (What is the projected low-to-moderate (LMI) income percentage?)
Data Source: HUD 2010 LOWMOD Income Data and Surveys Utilizing Approved Methods
Maximum 30 Points

Methodology: Project beneficiary information will be reviewed to determine the appropriate LMI point score. The LMI point score will be determined to two decimal places by multiplying the weighted LMI percentage for the entire application by 30 points. The weighted LMI percentage for applications for a single project will be equal to the LMI percentage for that project. The weighted LMI percentage for applications that include multiple projects will be equal to the sum of all the weighted LMI percentages of each individual project in the application. The weighted LMI percentage for an individual project in the application is determined by multiplying the LMI percentage for that project times the ratio of that project's implementation cost relative to the total project implementation cost of all projects presented in the application. Project implementation cost is determined by subtracting project delivery costs from the total project cost.

Unemployment/Economic Health (What is the change in employment from the 2nd Quarter 2011 to the 4th Quarter 2011 for the applicant's county?)
Data Source: Texas Workforce Commission's (TWC) Quarterly Census of Employment and Wages (QCEW) for the 2nd Quarter of 2011 and the 4th Quarter of 2011 Change in Employment Data Worksheet.
Maximum 20 Points

Methodology: Employment figures for all industries, both public and private, for the 1st Quarter of 2011 and the 4th Quarter of 2011 are obtained from the Texas Workforce Commission's (TWC) Quarterly Census of Employment and Wages (QCEW) for each county in the region. Cities are scored on the rates for the county in which they are located. The percent of change in each county (increase/decrease) from the 1st Quarter 2011 to the 4th Quarter of 2011 is then calculated. Points are then awarded based upon the following scale:

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No decrease	0 points
Decrease up to 1.99%	4 points
Decrease 2.00% to 2.99%	8 points
Decrease 3.00% to 3.99%	12 points
Decrease 4.00% to 5.99%	16 points
Decrease 6.00% and over	20 points

Recurrence of Wildfire Damage (How often is the community significantly affected by wildfire and what is their rate of recovery for each season?)

Data Source: Public record acquired through the Texas Forest Service (TFS).

Maximum 20 Points

Methodology: Communities located within counties that experience a recurrence of significant wildfire damage to infrastructure or emergency service equipment each season, as evidenced by public record acquired through the Texas Forest Service (TFS), will be evaluated based on annual acres burned for the period between the years of 2007 and 2011, inclusive. The number of acres burned may include forest/brush or forest/brush/residential/commercial areas. Applicants will be awarded 4 points for each year between 2007 through 2011 that TFS data reports annual acreage lost to fire greater than or equal to 1,200 acres for the county in which the applicant community is located. The recurrence score for Counties in the affected area are shown in the table below for the applicants use:

	ACRES LOST BY YEAR					Years of	Recurrence
County	**2007**	**2008**	**2009**	**2010**	**2011**	**Recurrence**	**Score**
Cass	328	269	485	700	43586	1	4
Bastrop	414	1221	2398	792	38351	3	12
Anderson	550	1181	1203	722	10196	2	8
Coryell	977	1425	6535	201	21828	3	12
Clay	818	23221	6130	3081	32345	4	16
Gregg	260	166	453	177	6830	1	4
Marion	253	227	192	537	4633	1	4
Briscoe	560	433	373	1315	15077	2	8
Rusk	644	936	910	603	7644	1	4
Houston	92	765	586	527	6344	1	4
Leon	260	223	228	28	9242	1	4
Upshur	231	624	594	578	5291	1	4
Howard	1784	8496	2314	408	25722	4	16
Navarro	859	4114	3158	1508	7009	4	16
Harrison	312	451	325	493	5827	1	4
Colorado	0	15	1804	3	3416	2	8
Walker	143	1629	1111	402	7638	2	8
Hall	906	828	271	1306	8995	2	8

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Hill	0	2595	890	1426	6660	3	12
Cherokee	387	971	1680	964	3266	2	8
Montague	877	2292	40699	690	11013	3	12
Smith	424	1615	948	472	4479	2	8
Sutton	0	2406	3083	0	7494	3	12
Edwards	124	13690	3699	13	4022	3	12
Kimble	107	1973	62	1160	11164	2	8
Henderson	173	1266	3269	753	2455	3	12
Nolan	1908	3538	3422	1329	82977	5	20
Wise	52	2965	3566	784	5959	3	12
Menard	0	2201	120	659	1252	2	8
Panola	420	260	198	500	802	0	0
Morris	199	76	96	175	461	0	0

Tie-Breaker: What is the poverty rate (poverty percentage) of the census geographic area?
Data Source: HUD 2010 LOWMOD Income Data

Methodology: Poverty rate may be determined by reviewing the *HUD 2010 LOWMOD Income Data* for the applicant. Once this information is obtained for each applicant, the poverty rate for each applicant is calculated by dividing the total number of persons at or below the designated poverty level by the LMI Universe for the applicant. The applicant with the higher poverty rate wins the tie-breaker.

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APPENDIX E
WAIVERS

I. Citizen Participation Waiver & Alternative Requirement

To permit a more streamlined process, and ensure disaster recovery grants are awarded in a timely manner, the following provisions of federal, with respect to citizen participation requirements, are waived and replaced with the provisions outlined in the Federal Register/Vol. 77, No. 73/Monday, April 16, 2012/Notices – Docket No. FR-5628-N-01; Section VI: Applicable Rules, Statutes, Waivers and Alternative Requirements:

- 42 U.S.C. 5304(a)(2)(3); 42 U.S.C. 12707; 24 CFR §570.486; 24 CFR §91.105(b)(c) and 24 CFR §91.115(b)(c), with respect to citizen participation requirements, are waived and replaced by the requirements below.

The streamlined requirements do not mandate public hearings at a State, entitlement, or local government level, but do require providing reasonable opportunity (at least 7 days) for citizen comment and ongoing citizen access to information about the use of grant funds. The streamlined citizen participation requirements for a grant administered under this Notice are:

(A) Before the grantee adopts the Action Plan for this grant or any substantial amendment to this grant, the grantee will publish the proposed plan or amendment (including the information required in this Notice for an Action Plan for Disaster Recovery). The manner of publication must include prominent posting on the grantees official Web site and must afford citizens, affected local governments, and other interested parties a reasonable opportunity to examine the plan or amendment's contents. The topic of disaster recovery should be navigable by citizens from the grantee (or administering agency) homepage. grantees are also encouraged to notify affected citizens through electronic mailings, press releases, statements by public officials, media advertisements, public service announcements, and/or contacts with neighborhood organizations.

Despite the expedited process, grantees are still responsible for ensuring that all citizens have equal access to information about the programs, including persons with disabilities and limited English proficiency. Each grantee must ensure that program information is available in the appropriate languages for the geographic area served by the jurisdiction. This issue may be particularly applicable to States receiving an award under this Notice. Unlike grantees in the regular State CDBG program, State grantees under today's Notice may make grants throughout the state, including to entitlement communities. For assistance in ensuring that this information is available to LEP populations, recipients should consult 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).

Subsequent to publication of the Action Plan, the grantee must provide a reasonable time frame and method(s) (including electronic submission) for receiving comments on the plan or substantial amendment. In its Action Plan, each grantee must specify criteria for determining what changes in the grantees plan constitute a substantial amendment to the plan. At a minimum, the following modifications will constitute a substantial amendment:

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

The grantee may substantially amend the Action Plan if it follows the same procedures required in this Notice for the preparation and submission of an Action Plan for Disaster Recovery. Prior to submission of a substantial amendment, the grantee is encouraged to work with its HUD representative to ensure the proposed change is consistent with this Notice, and all applicable regulations and Federal law.

(B) The grantee must notify HUD, but is not required to undertake public comment, when it makes any plan amendment that is not substantial. However, every amendment to the Action Plan (substantial and non-substantial) must be numbered sequentially and posted on the grantees Web site. The Department will acknowledge receipt of the notification of non-substantial amendments via email within five (5) business days.

(C) The grantee must consider all comments, received orally or in writing, on the Action Plan or any substantial amendment. A summary of these comments or views, and the grantees response to each must be submitted to HUD with the Action Plan or substantial amendment.

(D) The grantee must make the Action Plan, any substantial amendments, and all performance reports available to the public on its Web site and on request. In addition, the grantee must make these documents available in a form accessible to persons with disabilities and non-English speaking persons. During the term of the grant, the grantee will provide citizens, affected local governments, and other interested parties with reasonable and timely access to information and records relating to the Action Plan and to the grantees use of grant funds.

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

II. <u>Requirement for Consultation during Plan Preparation</u>

HUD is waiving 42 U.S.C. 5306(d)(2)(C)(iv); 42 U.S.C. 5306(d)(2)(D); 24 CFR §91.325(b) and 24 CFR §91.110, with the alternative requirement that any State receiving an allocation under

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this Notice consult with all disaster-affected units of general local government, including any CDBG-entitlement communities, in determining the use of funds.

III. Economic Revitalization

Economic Revitalization is not limited to activities that are "special economic development" activities under the HCD Act, or to activities that create or retain jobs. For CDBG disaster recovery purposes, economic revitalization can include any activity that demonstrably restores and improves some aspect of the local economy; the activity may address job losses, or negative impacts to tax revenues or businesses. Examples of eligible activities include providing loans and grants to businesses, funding job training, making improvements to commercial/retail districts, and financing other efforts that attract/retain workers in devastated communities. All economic revitalization activities must address an economic impact(s) caused by the disaster (e.g. loss of jobs, loss of public revenue). Through its needs assessment and Action Plan, the grantee should clearly identify the economic loss or need resulting from the disaster, and how the proposed activities will address that loss/need.

IV. Preparedness and Mitigation

The Appropriations Act states that funds shall be used for recovering from a Presidentially declared major disaster. As such, all activities must respond to the impacts of the declared disaster. HUD strongly encourages grantees to incorporate preparedness and mitigation measures into rebuilding activities, which helps to ensure that communities recover to be safer and stronger than prior to the disaster. Incorporation of these measures also reduces costs in recovering from future disasters. However, given the limited funding available and language in the Appropriations Act, CDBG disaster recovery funds may not be used for activities that are solely designed to prepare for and/or mitigate the effects of a future disaster without any tie to rebuilding from the previous disaster.

V. Ties to the Disaster

Grantees must document in each project file how that activity is tied to the disaster for which it is receiving CDBG assistance. In regard to physical losses, damage or rebuilding estimates are often the most effective tool for demonstrating the connection to the disaster. For economic or other non-physical losses, post-disaster analyses or assessments may best document the relationship between the loss and the disaster. Note that grantees are not limited in their recovery to returning to pre-disaster conditions. Rather, grantees are encouraged to undertake activities in such a way that not only addresses the disaster-related impacts, but leaves communities better positioned to meet the needs of their post-disaster populations and prospects for growth.

VI. Use of Funds for other disasters not covered by the Appropriations Act

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CDBG funds awarded under this Notice may not be used to address an impact or need originating from a disaster not occurring in 2011. However, if a need that arose from a previous disaster was exacerbated by a 2011 disaster, funds under this Notice may be used. In addition, if an impact or need originating from a 2011 disaster is subsequently exacerbated by a future disaster, funds under this Notice may also be used.

VII. Overall Benefit Waiver and Alternative Requirement

To carry out the objective of the Housing and Community Development (HCD) Act of 1974, the statute requires that seventy percent (70%) of the aggregate of a regular CDBG program's funds be used to support activities benefitting low and moderate income (LMI) persons. However, this target cab be difficult to reach, and perhaps even impossible, for many communities affected by the 2011 disasters.

Grantees under this Notice experienced disaster impacts that affected entire communities – regardless of income, and the existing requirement may prevent grantees from providing assistance to damaged areas of need. Therefore, the Notice waives the requirements at 42 U.S.C. 5301(c), 42 U.S.C. 5304(b) (3) (A), 24 CFR §570.484 and 24 CFR §570.200(a) (3), that seventy percent (70%) of funds be used to benefit LMI persons. Instead, the GLO will implement the policy that fifty percent (50%) of funds must benefit LMI persons. This will provide the grantee with greater flexibility to carry out recovery activities by allowing up to fifty percent (50%) of the grant to assist activities under the urgent need or prevention or elimination of slums or blight national objectives.

VIII. Change to Administrative Limitation

The Appropriations Act allows up to five percent (5%) of the grant to be utilized for administrative costs, whether by the grantee, by entities designated by the grantee, by units of general local government or by sub-recipients. The total of all costs classified as administrative must be less than or equal to the five percent (5%) cap.

For State grantees under this Notice, the provisions of 42 U.S.C. 5306(d) and 24 CFR §570.489(a) (1) (i) (iii) will not apply to the extent that they cap administration and technical assistance expenditures, limit a State's ability to charge a nominal application fee for grant applications for activities that State carries out directly, and require a dollar-for-dollar match of State funds for administrative costs exceeding $100,000.

42 U.S.C. 5306(d) (5) (6) are waived and replaced with the alternative requirement that the aggregate total for administrative and technical expenditures must not exceed five percent (5%). However, the GLO remains limited to spending a maximum of twenty percent (20%) of their total grant amount on a combination of planning and program administration costs.

IX. Program Income Alternative Requirement

HUD has waived the applicable program income rules at 570.500(a)(b), 570.504, 570.489(e) and 42 U.S.C. 5304(j) to the extent necessary to provide additional flexibility as described under Federal Register/ Vol. 77, No. 73/ Monday, April 16, 2012/Notices – Docket No. FR-5628-N-01. The alternative requirements that provide guidance regarding the use of program income received before and after grant closeout and address revolving loan funds.

A. Definition of program income

(1) For the purpose of this subpart, "program income" is defined as gross income generated from the use of CDBG funds, except as provided in subparagraph D of this paragraph, and received by: (1) A State, unit of local government or tribe, or (2) a sub-recipient of a State, unit of general local government, or tribe.

When income is generated by an activity that is only partially assisted with CDBG funds, the income shall be prorated to reflect the percentage of CDBG funds used (e.g. a single loan supported by CDBG funds and other funds; a single parcel of land purchased with CDBG funds and other funds).

(2) "Program Income" does not include the following:
   (a) The total amount of funds which is less than $25,000 received in a single year and retained by a State, unit of local government, tribe, or retained by a sub-recipient thereof;
   (b) Amounts generated by activities eligible under section 105(a) (15) of the HCD Act and carried out by an entity under the authority of section 105(a) (15) of the HCD Act.

B. Program Income – use, closeout and transfer.

(1) Program income received (and retained, if applicable) before or after closeout of the grant that generated the program income, and used to continue disaster recovery activities, is treated as additional disaster recovery CDBG funds subject to the requirements of this Notice and must be used in accordance with the grantees Action Plan for Disaster Recovery. To the maximum extent feasible, program income shall be used or distributed before additional withdrawals from the U.S. Treasury are made, except as provided in subparagraph D of this paragraph.

(2) In addition to the regulations dealing with program income found at 24 CFR §570.489(e) and §570.504. The following rules apply: Grantees may transfer program income before closeout to any annual CDBG-funded activities administered by a unit of general local government or Indian tribe within the State. Program income received by a grantee, or received and retained by a sub-grantee, after closeout of the grant that generated the program income, may also be transferred to a grantees annual CDBG award. In all cases, any program income that is not used

to continue the disaster recovery activity that generated the program income ceases to be subject to the waivers and alternative requirements of this Notice.

For non-entitlement communities without another ongoing CDBG grant received directly from HUD, program income on hand when the CDBG disaster recovery grant is closed by HUD, shall continue to be subject to the eligibility requirements and all other applicable provisions under this Notice until expended. Program income received after closeout by HUD of the CDBG disaster recovery grant shall not be governed by the provisions of this Notice, except that such income shall be used for activities that meet a CDBG national objective and the eligibility requirements described in section 105 of the HCD Act.

X. Direct Grant Administration and Means of Carrying Out Eligible Activities (Applicable to State Grantees Only)

The requirements at 42 U.S.C. 5306 are waived to the extent necessary to allow a State to use its disaster recovery grant allocation directly to carry out State-administered activities eligible under this Notice, rather than distribute all funds to units of local government. In using statutory language similar to that used for prior CDBG supplemental appropriations, the Department believes Congress is signaling its intent that the States under this appropriation also be able to carry out activities directly.

Pursuant to this waiver, the standard at section 570.480(c) will also include activities that the State carries out directly. Note that any city or country receiving a direct award under this Notice will be subject to the standard CDBG entitlement program regulations. Thus, the waiver and alternative requirement described here is inapplicable to local jurisdictions.

Activities made eligible under this Notice may be undertaken, subject to State law, by the grantee through its employees, through procurement contracts or through loans or grants under agreements with sub-recipients.

Activities made eligible under section 105(a) (15) of the HCD Act, as amended, may only be undertaken by entities specified in that section, whether the assistance is provided to such an entity from the State or from a unit of general local government.

XI. Use of Sub-Recipients – Applicable to State Grantees only

The State CDBG program rule does not make a specific provision for the treatment of entities that the CDBG Entitlement program calls “sub-recipients.” The waiver allowing the State to directly carry out activities creates a situation in which the State may use sub-recipients to carry out activities in a manner similar to an entitlement community. Therefore, for States taking advantage of the waiver to carry out activities directly, the requirements at 24 CFR §570.502, §570.503 and §570.500(c) apply, except that specific references to 24 CFR parts 84 and 85 must be included in sub-recipient agreements. OMB

Circular A-87 shall apply to States and any sub-recipients of a State, whether carrying out activities directly or through the use of a sub-recipient.

XII. Recordkeeping – Applicable to State Grantees Only

When a State carries out activities directly, 24 CFR §570.490(b) is waived and the following alternative provision shall apply:

- The State shall establish and maintain such records as may be necessary to facilitate review and audit by HUD of the State's administration of CDBG disaster recovery funds under 24 CFR §570.493.

Consistent with applicable statutes, regulations, waivers and alternative requirements, the content of records maintained by the State shall be sufficient to:

- Enable HUD to make the applicable determinations described at 24 CFR §570.493;
- Make compliance determinations for activities carried out directly by the State; and
- Show how activities funded are consistent with the descriptions of activities proposed for funding in the Action Plan and/or DRGR system.

For fair housing and equal opportunity purposes, and as applicable, such records shall include data on the racial, ethnic, and gender characteristics of persons who are applicants for, participants in, or beneficiaries of the program.

XIII. Responsibility for Review and Handling of Non-Compliance (Applicable to State Grantees Only)

This change is in conformance with the waiver allowing the State to carry out activities directly. 24 CFR §570.492 is waived and the following alternative requirement applies for any State receiving a direct award under this Notice:

- The State shall make reviews and audits, including onsite reviews of any sub-recipients, designated public agencies, and units of general local government, as may be necessary or appropriate to meet the requirements of section 104(e) (2) of the HCD Act, as amended, as modified by this Notice.

In case of non-compliance with these requirements, the State shall take such actions as may be appropriate to prevent a continuance of the deficiency, mitigate any adverse effects or consequences, and prevent a recurrence. The State shall establish remedies for non-compliance by any designated sub-recipients, public agencies, or units of general local government.

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XIV. Housing-related Eligibility Waivers

The broadening of Section 105(a) (24) of the HCD Act is necessary following major disasters in which large numbers of affordable housing units have been damaged or destroyed, as is the case of the disasters eligible under this Notice. Thus, in accordance with the grantees' requests, 42 U.S.C. 5305(a) is waived to the necessary to allow:

- (1) Homeownership assistance for households with up to 120 percent (120%) of the area median income,
- (2) Down payment assistance for up to 100 percent (100%) of the down payment (42 U.S.C. 5305(a) (24) (d)), and
- (3) New housing construction.

While homeownership assistance may be provided to households with up to 120 percent (120%) of the area median income, only those funds used to serve households with up to 80 percent (80%) of the area median income may qualify as meeting the low and moderate income person benefit national objective.

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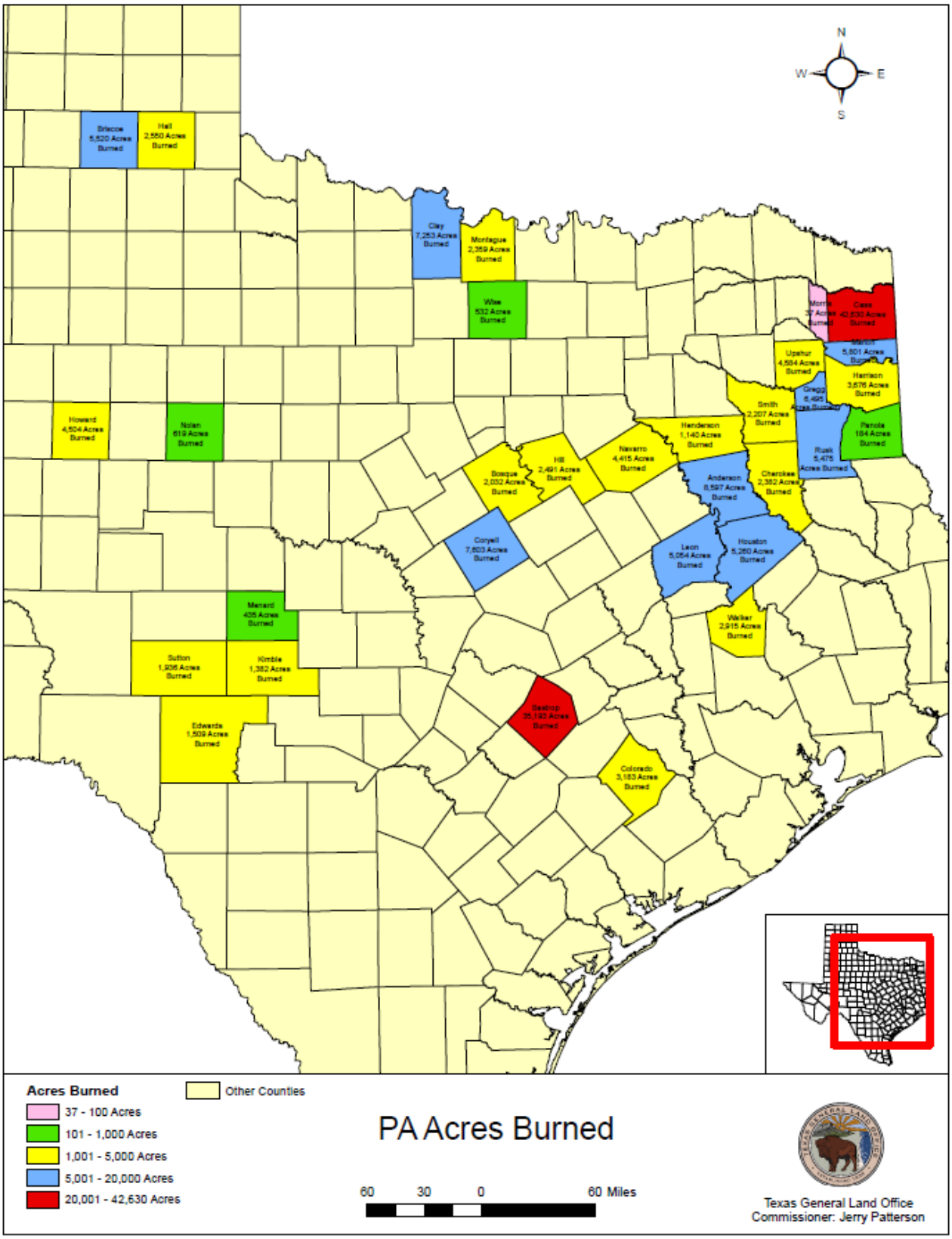
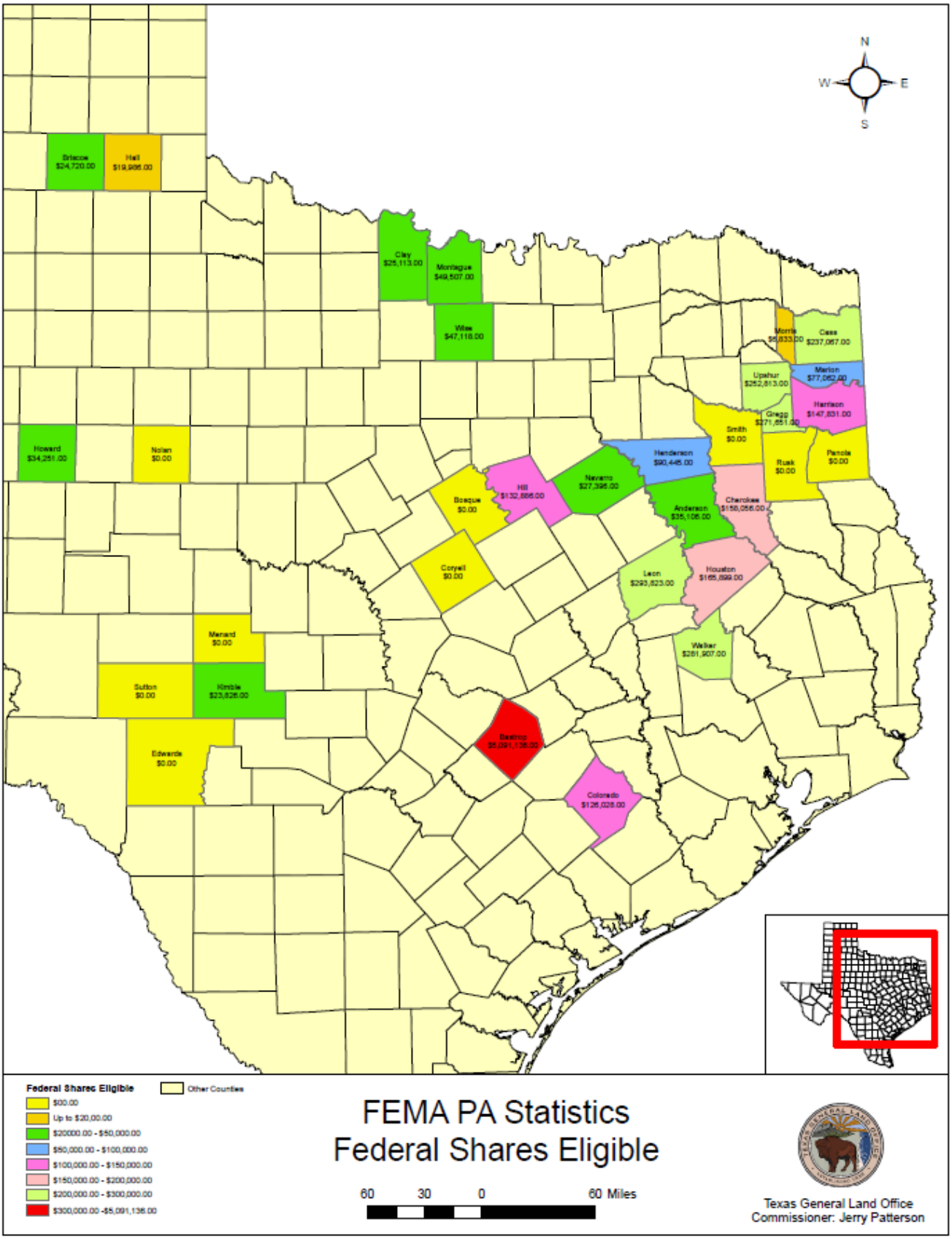
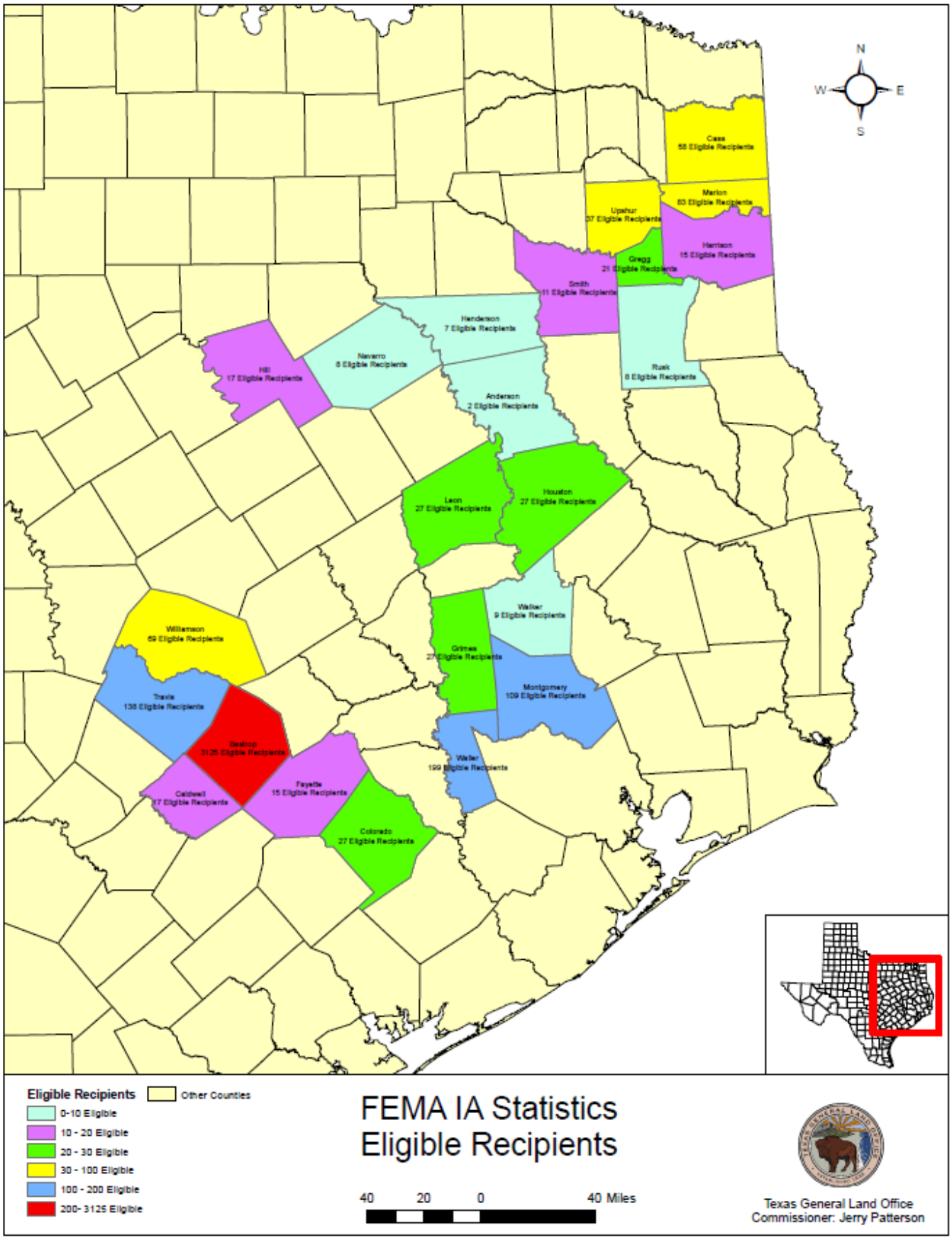
APPENDIX F - GIS MAPPING




N
W
E
S
Briscoe $24,720.00
Hall $19,986.00
Clay $25,113.00
Montague $49,507.00
Wise $47,118.00
Morris $5,833.00
Cass $237,067.00
Upshur $252,813.00
Marion $77,062.00
Harrison $147,831.00
Gregg $271,551.00
Smith $0.00
Panola $0.00
Rusk $0.00
Howard $34,251.00
Nolan $0.00
Henderson $90,445.00
Navarro $27,396.00
Hill $132,666.00
Bosque $0.00
Anderson $35,106.00
Cherokee $158,056.00
Coryell $0.00
Leon $293,823.00
Houston $165,899.00
Walker $281,907.00
Menard $0.00
Sutton $0.00
Kimble $23,826.00
Bastrop $5,091,136.00
Edwards $0.00
Colorado $126,028.00
Federal Shares Eligible
$00.00
Up to $20,00.00
$20000.00 - $50,000.00
$50,000.00 - $100,000.00
$100,000.00 - $150,000.00
$150,000.00 - $200,000.00
$200,000.00 - $300,000.00
$300,000.00 -$5,091,136.00
Other Counties
FEMA PA Statistics
Federal Shares Eligible
60 30 0 60 Miles
Texas General Land Office
Commissioner: Jerry Patterson


N
W
E
S
Cass
58 Eligible Recipients
Marion
63 Eligible Recipients
Upshur
37 Eligible Recipients
Harrison
15 Eligible Recipients
Gregg
21 Eligible Recipients
Smith
11 Eligible Recipients
Henderson
7 Eligible Recipients
Navarro
8 Eligible Recipients
Hill
17 Eligible Recipients
Rusk
8 Eligible Recipients
Anderson
2 Eligible Recipients
Leon
27 Eligible Recipients
Houston
27 Eligible Recipients
Walker
9 Eligible Recipients
Williamson
59 Eligible Recipients
Grimes
27 Eligible Recipients
Montgomery
109 Eligible Recipients
Travis
138 Eligible Recipients
Bastrop
3125 Eligible Recipients
Waller
199 Eligible Recipients
Caldwell
17 Eligible Recipients
Fayette
15 Eligible Recipients
Colorado
27 Eligible Recipients
Eligible Recipients
Other Counties
0-10 Eligible
10 - 20 Eligible
20 - 30 Eligible
30 - 100 Eligible
100 - 200 Eligible
200- 3125 Eligible
FEMA IA Statistics
Eligible Recipients
40
20
0
40 Miles
Texas General Land Office
Commissioner: Jerry Patterson

APPENDIX G
PUBLIC COMMENTS

The State of Texas Plan for Disaster Recovery was released on May 18, 2012. The first public comment period for the document ran from May 18, 2012 through June 14, 2012. As a result of comments made during the first public comment period, which resulted in a revision to the housing program's applicant selection process, a second citizen comment period was opened for seven (7) calendar days in order to give the public additional time to comment prior to the Action Plan submittal to HUD. The second public comment period ran from July 5, 20121 through July 12, 2012.

During the period, the General Land Office (GLO) held two public hearings to accept comment on the administration of $31 million in Community Development Block Grant Program Disaster Recovery funds, which come to Texas from the U.S. Department of Housing and Urban Development (HUD). Comments on overall needs related to disaster relief, long-term recovery, and restoration of infrastructure, housing and economic revitalization in areas affected by the wildfires occurring in 2011 were requested.

Comments and participation were encouraged either through attendance at one of the public hearings or in writing. Hearing notices, in English and Spanish were published on the Agency's website. On May 18, 2012, an announcement in English and Spanish that described the public comment period and the public hearings schedule was mailed to all on the GLO's notification list, which included County Commissioners, County Judges, Mayors, City Managers, City Council members, and Council of Government Directors from the affected areas.

The locations, addresses, dates, and number of attendees are listed below:

- Bastrop County: Commissioners Court Room, 804 Pecan Street, Bastrop, TX 78602, Wednesday, May 30, 2012 from 5:30pm – 7:00pm; there were 70 attendees

- Smith County (City of Tyler) Courthouse, Central Jury room, 100 N. Broadway, Tyler, TX 75702, Thursday, May 31st, 2012 from 5:50pm – 7:00pm; there were three (3) attendees

Both hearing locations were fully accessible to persons with disabilities. The hearing announcements included information on accessibility requests for individuals requiring an interpreter, auxiliary aids, or other services. Additionally, staff attending the hearings spoke both English and Spanish.

The following is a summary of the comments received as well as the GLO's response. Comments are arranged and answered by subject, and each comment is individually numbered. At the end of this section, there is a table that includes information for each individual making comment.

For more information on the public comment received on this document, or for copies of the original comment, please contact Marisa Mason, ORCA Deputy Executive Director, at (512)
936-6711.

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Comments/Responses for Comment Period of May 30 - June14, 2012

Comment #1: Assistance to Renters
Commenters inquired as to what assistance will be given to renters who lost their homes in the fire.

> **Staff Response:**
> In order to qualify for housing rehabilitation or reconstruction assistance through the CDBG Disaster Recovery (CDBG-DR) program through the General Land Office applicants will need to show primary residency and ownership of the home at the time the wildfire damage occurred or direct damage.
>
> In order to qualify for down payment assistance (DPA) through the CDBG-DR program through the GLO you will need to show primary residency only at the time the wildfire damage occurred; in other words, renters that can prove primary residency qualify for DPA.

Comment #2: Assistance to Renters Who Purchased Property
Commenter inquired if assistance would be available if they purchased property from their landlord with FEMA money after the fires.

> **Staff Response:**
> If only land was purchased there is a possibility that the individual could qualify for Down Payment Assistance to rebuild a new home.

Comment #3: Assistance to Renters Who Were Given Property from Family
Commenter inquired about assistance for renters who lived in a home owned by a family member at the time of the fire, and have since been given that home.

> **Staff Response:**
> Proof of ownership and primary residence will be determined on a case by case basis.

Comment #4: Mortgage Payoff
Commenter inquired about using insurance money to pay off a mortgage on the house that was destroyed.

> **Staff Response:**
> The payoff or paydown of mortgages from FEMA or insurance proceeds will only be eligible if the homeowner can show that such payment was forced by the mortgage holder.

Comment #5: Temporary Housing
Commenter inquired about using insurance money to purchase a camper to use as temporary housing.

> **Staff Response:**
> Temporary housing is an eligible expense, and would not count against an applicant as a duplication of benefit.

Comment #6: Receipt of Other Funds
Commenters inquired how the program will calculate assistance related to receipt of other funds (i.e. FEMA, Private Insurance, SBA, etc.).

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Staff Response:
The CDBG-DR program funds must consider any duplication of benefit for funds received from other sources in calculating the eligible award amount from the program. In the application, applicants will be asked to document that such funds were spent on eligible housing related expenses or provide the actual funds toward their project. While cases can vary one to the next, generally documentation can include receipts, forced mortgage reduction documentation, or third party inspections. More detail will be available in the Application Handbook.

Comment #7: Credit Worthiness
Commenter inquired about the role credit worthiness will play in the program.

Staff Response:
Credit worthiness is not a program requirement for homeowner rehabilitation or reconstruction.

Comment #8: Income Requirements
Commenters inquired about the income requirements to receive aid.

Staff Response:
To be eligible the household income must not exceed 100% of the Area Median Family Income (AMFI) however, Low- to Moderate-Income Households (households earning 80% of the AMFI or below) will be prioritized and assisted first as long as the household meets all other requirements. See income chart below.

INCOME LIMITS

AMFI %	Number of Household Members							
	1	2	3	4	5	6	7	8
80	$ 42,500	$ 48,600	$ 54,650	$ 60,700	$ 65,600	$ 70,450	$ 75,300	$ 80,150
100	$ 53,200	$ 60,800	$ 68,400	$ 75,900	$ 82,000	$ 88,100	$ 94,200	$ 100,200

Comment #9: Primary Residence at the Time of the Fires
Commenter lives out of state and wants to know if they would be eligible for assistance.

Staff Response:
Applicants must be able to establish Primary Residency at the dwelling damaged by the DR-4029-Texas wildfire and certify ownership of the property damaged by the wildfire disaster at the time of the event (ownership is a requirement for rehabilitation or reconstruction, primary residency only is required for DPA). In cases where an applicant qualifies for DPA, the newly built or purchased home must also be in Bastrop County.

Comment #10: Timeline for Applications
Commenter inquired about when to apply for wildfire assistance through the GLO.

Staff Response:
The GLO expects to begin taking applications in August. Updates and application intake instructions will be posted on the GLO Wildfire Web Page.

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Comment #11: AMFI Basis
Commenter inquired as to when the AMFI will be determined.

Staff Response:
The AMFI is determined at the time of assistance.

Comment #12: Infrastructure Work on Private Land
Commenters inquired about tree removal, erosion control debris pick-up, etc. on private land.

Staff Response:
Infrastructure work on private land for non-housing needs is not an eligible activity under the CDBG-DR housing program. Debris will be removed to the extent that is necessary in order to rehabilitate or reconstruct a wildfire damaged home.

Comment #13: Eligible Counties for Housing Assistance
Commenter inquired about distribution of housing funds only to Bastrop County.

Staff Response:
As this program is working with limited funding it is not possible to assist everyone in need. The GLO is required by HUD to spend 80% of the total funding in Bastrop County, which does not leave a reasonable amount to assist the other declared counties with a housing program. The GLO is working to assist as many people, in the most efficient way possible.

Comment #14: Construction Materials
Commenter stated that homes should be reconstructed with cinder block bricks.

Staff Response:
The GLO is currently not planning to construct homes of cinder blocks but the homes will have other fire retardant materials.

Comment #15: Funding for Erosion Control
Commenter stated that funding is needed for erosion control as detailed in the Bastrop County Lost Pines Habitat Recovery Project.

Staff Response:
The GLO appreciates public input on this program. Bastrop County will be the recipient of the non-housing funds allocated to the Bastrop area. Erosion control is an eligible use of those funds.

Comment #16: Third Party Involvement
Commenters stated that the money should go directly to the wildfire victims and not to third parties, such as non-profits, in order to avoid administrative costs.

Staff Response:
Any administrative costs will be minimal, and are capped by the funding source. The GLO will be using the total allowed construction amount to rebuild or rehabilitate; this allowed amount will not be decreased due to administrative costs.

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Comment #17: Eligibility of Insured Homeowners
Commenters inquired about the eligibility to qualify for CDBG funds if they were insured at the time of the fires.

Staff Response:
Being uninsured is not a requirement to qualify for CDBG funds.

Comment #18: Eligibility for Funds if Rebuilding is Complete
Commenter inquired about assistance for those who had homes destroyed or damaged by the fires, but have already used other funds to rebuild or repair their homes.

Staff Response:
The CDBG funds are intended to assist those individuals who cannot recover on their own. If a homeowner is able to rebuild using other funding sources then there is no remaining unmet housing need.

Comment #19: Bastrop County Communication
Commenter inquired about Bastrop County having more communication and longer time frames for assistance programs.

Staff Response:
The GLO cannot speak to how the County runs their programs as these run under local control.

Comment #20: Home repair began using other sources
Commenter inquired about ability to utilize CDBG-DR funding to finish a rehabilitation or reconstruction they started by using FEMA, SBA, or other recovery funding.

Staff Response:
On a case by case basis this may be eligible from the CDBG-DR funds. The program would have to consider funding available, use of funds, environmental conditions, code requirements, etc. in addition to all other program eligibility requirements.

Comment #21: Application Details
Commenter would like applicants to have information on how the application process for housing assistance will work; what to expect if the application is approved or denied; and the contracting process.

Staff Response:
This detail will be in the Housing Application Handbook.

Comment #22: Housing Program Timeframes
Commenter inquired about timeframes for the reconstruction and rehabilitation of housing.

Staff Response:
The Action Plan has an estimated timeline for the housing program to be completed.

Comment #23: Preparing Homeowners Longterm
Commenter inquired about preparing homeowners for such things as identifying and avoiding scams, budgeting and determining financial capacity to meet all housing needs, avoiding foreclosure, and maintaining the home long term.

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Staff Response:
This is currently planned from the GLO program.

Comment #24: Down Payment Assistance
Commenter inquired about the ability to use down payment assistance in conjunction with mortgage financing or insurance proceeds.

Staff Response:
Applicants will be required to come to the table with a pre-approved mortgage. The GLO will provide more detail in the Housing Application Handbook.

Comment #25: Mortgage Financing
Commenter inquired about program assistance to find the best mortgage financing for each applicants circumstances.

Staff Response:
Applicants will be required to come to the table with a pre-approved mortgage. The GLO will provide more detail in the Housing Application Handbook.

Comment #26: Homeowner Insurance
Commenter would like to see the importance of Homeowner's Insurance communicated through the program.

Commenter also would like Homeowner's Insurance to be mandatory at closing for any home that is rehabilitated, reconstructed or down payment assistance is achieved though DR Program funds.

Commenter also would like funds to be set aside within the Disaster Recovery Program to purchase adequate Homeowner's Insurance.

Staff Response:
This will be stressed to homeowners. The first year of Homeowner's Insurance will be an eligible program expense.

TOPICS

1	Assistance to Renters
2	Assistance to Renters Who Purchased Property
3	Assistance to Renters Who Were Given Property from Family
4	Mortgage Payoff
5	Temporary Housing
6	Receipt of Other Funds
7	Credit Worthiness
8	Income Requirements
9	Primary Residence at the Time of the Fires
10	Timeline for Applications
11	AMFI Basis
12	Infrastructure Work on Private Land
13	Eligible Counties for Housing Assistance
14	Construction Materials

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15	Funding for Erosion Control
16	Third Party Involvement
17	Eligibility of Insured Homeowners
18	Eligibility for Funds if Rebuilding is Complete
19	Bastrop County Communication
20	Home began from other sources
21	Application Details
22	Housing Program Timeframes
23	Preparing Homeowners Longterm
24	Down Payment Assistance
25	Mortgage Financing
26	Homeowner Insurance

Public Comment by Commenter

Commenter	Commenter Information	Source	Comments made by Topic Number
Michelle Baker	Bastrop Resident	Bastrop Hearing	3, 11
Anonymous		Bastrop Hearing	14
Lorenzo and Sheila Roman	Bastrop Resident	Bastrop Hearing	2
Michael Baumann	Alum Creek Wildlife Management Association	Bastrop Hearing	15
Shawn Harris	Bastrop Resident	Bastrop Hearing, Email	7
Sandy Hemphill	Bastrop Resident	Bastrop Hearing	1
Don Williams	Bastrop Resident	Bastrop Hearing	20
Leslie Hill	Bastrop Resident	Bastrop Hearing	8
Ysidoro Lolo Esquivel	Bastrop Resident	Email	6, 8
Frieda Allen	New Mexico Resident	Email	9
Steffani Clark-Motyka	Bastrop Resident	Email	4, 5
William Abshire	Bastrop Resident	Email	4
Lynne Ensinger	Bastrop Resident	Email	1
Robin Fannin	Bastrop Resident	Email	4, 6, 17
Shawn Harris	Bastrop Resident	Email	20
Rory O'Malley	Frameworks	Email	21, 22, 23, 24, 25, 26
Dan Holmes	Bastrop Resident	Email	1, 2, 3, 5
Todd Tschudi	Bastrop Resident	Email	6
Darlene Strayn		Email	6
Charles Dinneen	Resident	Email	13
Cidneye Godkin	Homeless Prevention Advocate	Email	16
Gina Sweeny	Resident	Email	12
Robin Lively	Resident	Email	6, 8, 16, 17
Kathleen Lively	Family of Resident	Email	16
James Woodruff		Email	16
Roy Birkhead		Email	16
Julia Miller	Resident	Email	16, 18

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Nathan Lively		Email	16
Walter Winslett	Bastrop Resident	Email	6, 16
Terri Lively		Email	16
Nancy Goldsberry		Email	16
David Arrizola	Bastrop Resident	Email	12, 19
Christopher Crouch	Resident	Email	2, 3
Lourdes Orozco	Resident	Email	12, 18
Sandra Matl	Resident	Email	8, 10

Comments/Responses: Revised Action Plan Comment Period of July 5 - July 12, 2012

Comment #1: Assistance to Renters

Commenter inquired as to how Down Payment Assistance (DPA) will assist renters who lost their homes in the fire, and also as to what other assistance will be available to renters.

Staff Response:

The DPA program is intended to help renters wishing to move into homeownership as well as others wishing to relocate. As far as a program specifically targeted towards renters, we reviewed the data that was available and found that due to limited funds, and a smaller renter population affected, prioritizing the majority of the funds elsewhere would make a larger positive impact on the community.

Comment Topics – Revised Plan

1	Assistance to Renters

Public Comment: Revised Action Plan

Commenter	Commenter Information	Source	Comments made by Topic Number
Tami Atkins	Financial Reporting Director – GLO and Veteran's Land Board	Email	1

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