



2021

Winter Storms Public Action Plan

Amendment #: 1

Published: September 15, 2026

Public Comment Period: September 15, 2026 - October 15, 2026

HUD Approved:

Disaster Relief Supplemental Appropriations Act, 2022 (Pub. L. 117-43, approved September 30, 2021) 87 FR 31636 (May 24, 2022), and Continuing Appropriations Act, 2023 (Pub. L. 117-180, approved September 30, 2022) 88 FR 3198 (January 18, 2023)



Photo Credits: Texas Department of Transportation, Texas Comptroller of Public Accounts, Arlington Texas Fire Department, Euless Texas Fire Department, and Grapevine Texas Fire Department Facebook pages.

Legal Disclaimer

The GLO used reasonable quality control measures to ensure the accuracy of this translation of the Action Plan. The English language version of the Action Plan is the official document governing the expenditure of allocated federal funds. If there are differences between the English version and this translated version, the English version controls. The translated version of the Action Plan is provided for informational purposes only. The Action Plan is subject to periodic revision. It is the user's responsibility to verify the accuracy of translated information. The GLO shall not be liable for damages or losses of any kind arising out of, or in connection with, the use of or reliance on the translated information.

Table of Contents

1.	Summary of Changes	1
1.1	Summary of Changes	1
1.2	Budgets Changes	2
1.3	Change Log	2
2.	Executive Summary	4
2.1	Overview	4
2.2	Disaster Specific Overview	4
2.3	Summary	6
3.	Unmet Needs Assessment.....	9
3.1	Overview	9
3.2	Housing Unmet Need	11
3.2.1	Disaster Damage and Impacts.....	11
3.2.2	Single Family v. Multi-Family Needs; Owner Occupied v. Tenant	12
3.2.3	Public Housing and Affordable Housing.....	15
3.2.4	Fair Housing, Civil Rights Data and Advancing Equity.....	16
3.3	Infrastructure Unmet Need.....	39
3.3.1	Disaster Damage and Impacts – Infrastructure	39
3.4	Economic Revitalization Unmet Need	41
3.4.1	Disaster Damage and Impacts – Economic Revitalization	41
3.5	Mitigation Only Activities	42
3.5.1	Mitigation Needs Assessment.....	43
3.5.2	FEMA’s Community Lifelines for Winter Weather	45
3.5.3	FEMA’s Community Lifelines for Extreme Cold	48
4.	General Requirements.....	51
4.1	Citizen Participation	51
4.1.1	Outreach and Engagement	51
4.1.2	Public Hearings	52
4.1.3	Complaints	53
4.2	Public Website.....	54
4.3	Amendments.....	54

4.3.1	Substantial Amendment	54
4.3.2	Non-Substantial Amendment.....	55
4.4	Displacements of Persons and Other Entities	55
4.5	Protection of People and Property.....	56
4.5.1	Elevation Standards	56
4.5.2	Flood Insurance Requirements	58
4.5.3	Construction Standards	58
4.5.4	Contractors Standards	60
4.5.5	Preparedness, Mitigation and Resiliency	61
4.5.6	Broadband Infrastructure in Housing.....	64
4.5.7	Cost-Effectiveness	65
4.5.8	Duplication of Benefits	65
5.	Grantee Proposed Use of Funds.....	67
5.1	Overview	67
5.2	Program Budget.....	67
5.2.1	Connection to Unmet Needs	68
5.2.2	Leveraging Funds.....	69
5.2.3	Program Partners.....	70
5.2.4	Distribution of Funds	70
5.2.5	Program Income.....	79
5.2.6	Resale or Recapture	79
5.3	Program Details.....	80
5.3.1	Infrastructure Programs	80
6.	Appendix.....	96
6.1	Certifications	96
6.2	Waivers (if applicable).....	98
6.3	Projected Expenditures and Outcomes.....	99
6.3.1	Program Expenditures.....	99
6.3.2	Program Outcomes.....	101
6.4	Summary and Response of Public Comments	103
6.4.1	GLO Statewide Administered 2021 Winter Storms Recovery Survey.....	111
6.5	Data Sources/Methodologies.....	117

6.6	Important Definitions and Terms	118
6.7	Standard Form 424	120

1. Summary of Changes

1.1 Summary of Changes

This document constitutes the First Amendment (Substantial) to the State of Texas 2021 Winter Storms Action Plan, approved by HUD on February 13, 2024.

The following changes to the Action Plan are made in this amendment:

- Grammatical, phrasing and formatting changes throughout document
- All sections renumbered to accommodate new Summary of Changes section
- 1. Summary of Changes
 - Added to action plan to document amendments to the Action Plan
- 2.3 Summary
 - Total allocation budget table added
- 3.2.4.1 Affirmatively Furthering Fair Housing (AFFH) Requirements
 - Language adjusted clarifying that the applicant will perform the AFFH review
- 5.2 Program Budget
 - Total Allocation Budget table formatting updated
- 5.2.4.1 2021 Winter Storms (21WS) HUD MID Counties Program
 - AFFH language adjusted clarifying that the applicant will perform the AFFH review
- 5.2.4.2 2021 Winter Storms (21WS) Fire Facilities and Protective Measures (FFPM) Program
 - Distribution of funds adjusted to two-phased approach including a call for projects phase followed by an application phase
 - Project submissions limited to two per eligible entity, with entities limited to one invitation to apply until all entities above 50 points receive an invitation to apply
 - Selection criteria updated removing cost per person benefitting as a scoring criterion and stratification of remaining criteria
 - AFFH language adjusted clarifying that the applicant will perform the AFFH review
 - Timeline adjusted to reflect actual program start.
- 5.3.1.1 Program Budget
 - Total Allocation Budget table formatting updated
- 5.3.1.2. Winter Storms (21WS) HUD MID Counties Program
 - AFFH language adjusted clarifying that the applicant will perform the AFFH review
 - Projections relocated to appendices to improve the formatting of the action plan
- 5.3.1.3 2021 Winter Storms (21WS) Fire Facilities and Protective Measures (FFPM) Program
 - Distribution of funds adjusted to two-phased approach including a call for projects phase followed by an application phase

- Project submissions limited to two per eligible entity, with entities limited to one invitation to apply until all entities above 50 points receive an invitation to apply
- Selection criteria updated removing cost per person benefitting as a scoring criterion and stratification of remaining criteria
- AFFH language adjusted clarifying that the applicant will perform the AFFH review
- Timeline adjusted to reflect actual program start.
- Projections relocated to appendices to improve the formatting of the action plan
- 6.3 Projected Expenditures and Outcomes
 - Projections relocated to appendices to improve the formatting of the action plan

1.2 Budgets Changes

Program	Previous Allocation	Change	Revised Allocation
21WS HUD MID Counties Program	\$24,768,000	\$-	\$24,768,000
21WS HUD MID Counties Program: Mitigation Set-aside	\$5,691,000	\$-	\$5,691,000
21WS Fire Facilities and Protective Measures (FFPM) Program	\$7,500,000	\$-	\$7,500,000
Secondary MID Mitigation Set-aside	\$-	\$-	\$-
Project Delivery	\$1,309,800	\$-	\$1,309,800
State Planning	\$2,181,600	\$-	\$2,181,600
Administration	\$2,181,600	\$-	\$2,181,600
Total Allocation	\$43,632,000	\$-	\$43,632,000

1.3 Change Log

Iteration	Summary	Approval or Acknowledgement Date
Initial	The initial 2021 Winter Storms Action Plan included the creation of the 21WS HUD MID Counties and 21WS Fire Facilities and Protective Measures (FFPM) programs.	February 13, 2024

Iteration	Summary	Approval or Acknowledgement Date
APA 1 (Substantial)	21WS Fire Facilities and Protective Measures (FFPM) program scoring and distribution of funds adjusted.	

2. Executive Summary

2.1 Overview

The U.S. Department of Housing and Urban Development (HUD) announced that the state of Texas will receive \$43,632,000 in funding to support long-term recovery efforts following the 2021 Winter Storms through HUD's Office of Disaster Recovery (ODR). Community Development Block Grant- Disaster Recovery (CDBG-DR) funding is designed to address needs that remain after all other assistance has been exhausted. This plan details how funds will be allocated to address remaining unmet need in the state of Texas.

To meet disaster recovery needs, the statutes making CDBG-DR funds available have imposed additional requirements and authorized HUD to modify the rules that apply to the annual CDBG program to enhance flexibility and allow for a quicker recovery. HUD has allocated \$43,632,000 in CDBG-DR funds to the state of Texas in response to the 2021 Winter Storms (DR-4586), through the publication of Federal Register notices 87 FR 31636 (May 24, 2022) and 88 FR 3198 (January 18, 2023) (the Notices). This allocation was made available through both the Disaster Relief Supplemental Appropriations Act, 2022 (Pub. L. 117-43) and the Continuing Appropriations Act, 2023 (Pub. L. 117-180).

2.2 Disaster Specific Overview

From February 11 to February 21, 2021, the 2021 Winter Storms brought freezing temperatures, snow, and ice to the southern United States, causing the National Weather Service to place the entire state of Texas under a winter storm warning. Up to seventeen and a half inches of snow was recorded in some areas of the state, accompanying ice accumulation of up to an inch per day and low temperatures ranging from 13°F in Houston to -11°F in Amarillo. These conditions, as well as the unprecedented length for which they lasted, caused approximately 69 percent of Texans to lose power at some point during the disaster, per the University of Houston Hobby School of Public Affairs, and the deaths of 246 people, according to the Texas Department of State Health Services.

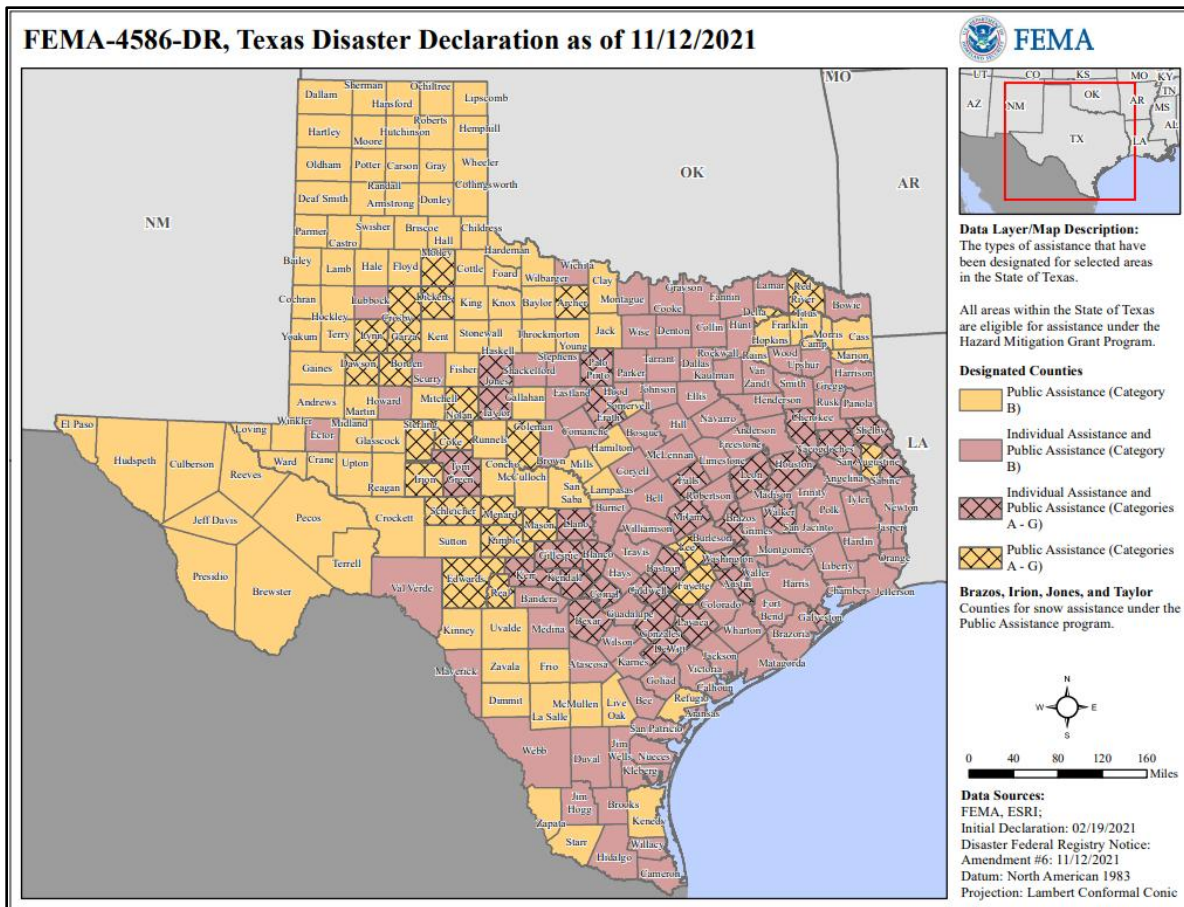
Per the University of Texas at Austin (UT-Austin) Energy Report cited by the Texas Comptroller, the Electric Reliability Council of Texas (ERCOT) experienced electricity generator outages from February 13 to February 19, 2021, disrupting power to homes and critical facilities. After the grid normalized on February 19, 2021, it was reported that the manual blackouts had saved the grid from a critical failure that would have caused a weeks-long outage in a significant portion of the state.

The Texas Commission on Environmental Quality (TCEQ) reported that 590 Texas's public water systems in 141 counties experienced disruptions related to frozen and broken water lines, lack of electricity, and lower water pressure from dripping faucets. Across the state, water main breaks led to hundreds of millions of gallons lost. As a result of the water utility disruptions, boil water notices were issued to areas affecting 12 million individuals.

On February 19, 2021, Texas received a Presidential disaster declaration (Texas Severe Winter Storms, DR-4586). All 254 of Texas's counties eventually received a major disaster declaration for either Federal Emergency Management Agency (FEMA) Individual Assistance (IA), FEMA Public Assistance (PA), or a combination of both. Within the Notices, HUD designated three counties (Dallas, Harris, and Tarrant) as the most impacted and distressed areas in the state of Texas. The cities of Dallas, Fort Worth, and Houston also received direct allocations from HUD. The cities will write and create their own action plans to support recovery in their jurisdictions and will not be eligible to be subrecipients in this Action Plan.

Allocation Recipients	
Allocation Recipient	Allocation
State of Texas	\$43,632,000
City of Dallas	\$40,400,000
City of Fort Worth	\$27,472,000
City of Houston	\$50,095,000
Source: 88 FR 3198 (January 18, 2023)	

The 2021 Winter Storms demonstrated the state's vulnerability to extreme winter weather and the regularity with which natural disasters impact the state, as Texas received six CDBG-DR allocations for disasters from 2015 to 2021.



2.3 Summary

The State of Texas 2021 Winter Storms Action Plan (the Action Plan) details eligibility criteria and the proposed use of all funds, including how these funds will address long-term recovery and restoration of infrastructure, affordable multifamily rental housing, fire protection facilities, fire protection equipment, and mitigation needs in the HUD MID counties of Dallas, Harris, and Tarrant, as well as in the Secondary MID areas. The use of funds for this allocation is limited to unmet recovery needs related to the 2021 Winter Storms and mitigation activities related to winter storms.

As determined in the unmet needs assessment, the areas of unmet needs that were the highest resulting from the 2021 Winter Storms are related to affordable multifamily rental housing and infrastructure, particularly critical protection facilities and power generation. The Unmet Need and Proposed Allocation table includes figures estimating the remaining unmet need in housing and infrastructure within the state. The storms' impacts to housing was widespread. A total of 47,974 owners and renters across Texas received FEMA IA assistance, totaling \$163,398,519 in FEMA Verified Loss. Additionally, the Small Business Administration (SBA) distributed \$165,929,579 in home loans to Texans. The storms also devastated infrastructure throughout the state, resulting in a total of \$398,278,032 distributed in FEMA PA. In addition to housing and infrastructure

damage, the storms crippled Texas’s economy. According to a report done by the University of Houston, the total economic loss stemming from the 2021 Winter Storms was \$295 billion.

In order to solicit citizen input and gain a clearer understanding of the disaster’s impact, the GLO distributed a survey to over 6,500 individuals in local governments, Indian Tribes, Federal government agencies within the state that may have assisted with recovery efforts, nongovernmental organizations, the private sector, and to other stakeholders and affected parties in the surrounding geographic area, including organizations that advocate on behalf of members of protected classes, vulnerable populations, and underserved communities impacted by the disaster. The results of this survey, available in Appendix C, showed that the greatest disruptions caused by the storms were to water services, electrical utilities, government offices, commercial operations, and emergency response services, in that order. Additionally, the results showed that communities’ top two priorities for recovery were repair of water and electrical utilities and repair of damage to emergency response facilities.

Considering the widespread impact of the 2021 Winter Storms and limited CDBG-DR funds available to Texas, the programs in the Action Plan will be focused on restoring affordable multi-family housing, repairing infrastructure, and strengthening fire response facilities. The funds will be utilized in two programs: the 2021 Winter Storms (21WS) HUD MID Counties Program and the 2021 Winter Storms (21WS) Fire Facilities and Protective Measures (FFPM) Program. The 2021 Winter Storms (21WS) HUD MID Counties Program will award funding of \$10,153,000 to each of the three HUD MID counties (Dallas, Harris, and Tarrant Counties), which includes a mitigation set-aside of \$1,897,000 per county’s allocation. The 2021 Winter Storms (21WS) Fire Facilities and Protective Measures (FFPM) Program will allocate funds for units of general local government in the Secondary MID counties based on selection criteria.

As specified in the Notices, \$5,691,000 must be used for mitigation activities informed by the mitigation needs assessment included in the Action Plan. These mitigation activities do not require a tie-back to the 2021 Winter Storms but must increase resilience to disasters and reduce or eliminate the long-term risk of loss of life, injury, damage to and loss of property, and suffering and hardship by lessening the impact of future winter storms.

Through the 2021 Winter Storms Action Plan, the state of Texas will promote affordable multifamily housing, infrastructure improvements, fire protection facilities, fire protection equipment, and emergency power generators permanently affixed to public facilities.

The below table provides a snapshot of unmet needs as calculated using data from a variety of sources (FEMA, Small Business Administration, Texas Division of Emergency Management) and the provided multipliers from the Severe Ice Storm multiplier found in 88 FR 32046 (May 18, 2023).

Category	Remaining Unmet Need	% of Unmet Need	Program Allocation Amount	% of Program Allocation
Administration	N/A	0.00%	\$2,181,600	5.00%
Planning	N/A	0.00%	\$2,181,600	5.00%
Housing	\$214,079,056	71.69%	\$8,605,280	19.72%
Infrastructure	\$45,292,565	15.17%	\$24,972,520	57.23%
Economic Development	N/A	0.00%	\$0	0.00%
Public Services	\$0	0.00%	\$0	0.00%
Mitigation	\$39,260,172	13.15%	\$5,691,000	13.04%
Total	\$298,631,793	100%	\$43,632,000	100%

2021 Winter Storms Total Allocation Budget

Programs	HUD MID	Secondary MID	Total Allocation	LMI Amount	% of Total Allocation by Program	% of Total Allocation
21WS HUD MID Counties Program	\$ 24,768,000	\$ -	\$ 24,768,000	\$ 17,337,600	56.77%	69.81%
21WS HUD MID Counties Program: Mitigation Set-aside	\$ 5,691,000	\$ -	\$ 5,691,000	\$ 3,983,700	13.04%	
21WS Fire Facilities and Protective Measures (FFPM) Program	\$ -	\$ 7,500,000	\$ 7,500,000	\$ 5,250,000	17.19%	17.19%
Secondary MID Mitigation Set-aside	\$ -	\$ -	\$ -	\$ -	0.00%	
Project Delivery	\$ 1,047,840	\$ 261,960	\$ 1,309,800	\$ 916,860	3.00%	3.00%
State Planning	\$ 1,745,280	\$ 436,320	\$ 2,181,600	N/A	5.00%	5.00%
Administration	\$ 1,745,280	\$ 436,320	\$ 2,181,600	N/A	5.00%	5.00%
Total	\$ 34,997,400	\$ 8,634,600	\$ 43,632,000	\$ 27,488,160	100%	100%

3. Unmet Needs Assessment

3.1 Overview

The 2021 Winter Storms brought freezing temperatures, snow, and ice to Texas from February 11 to February 21, 2021, causing the National Weather Service to place several winter weather advisories and warnings throughout the state. On February 19, 2021, Texas received a Presidential disaster declaration (Texas Severe Winter Storms, DR-4586). The 2021 Winter Storms resulted in all of Texas's 254 counties receiving a major disaster declaration for FEMA Individual Assistance (IA), Public Assistance (PA), or a combination of both. Within the Notices, HUD designated Dallas, Harris, and Tarrant Counties as HUD MID areas for the state of Texas. The GLO has designated the remaining 251 counties in the state as Secondary MID.

The National Weather Service reports that the winter storms resulted from a cold front moving through the region beginning February 10, 2021. Extreme cold temperatures, ice, and snow impacts were the primary weather factors that caused damage throughout Texas. However, it was the persistence of these extreme cold temperatures that was most responsible for the loss of life and damage to infrastructure. There were nine days of winter weather advisories, watches, and warnings along with a hard freeze warning reported by the National Weather Service. According to a study done by the Energy Institute at the University of Texas at Austin, the extreme low temperatures caused more electric generators to go offline than contingency plans anticipated, leading to rolling blackouts, widespread outages, and burst water pipes.

After-action reports done by municipalities such as the City of San Antonio, City of Denton, and a joint report by the City of Austin and Travis County showed that these outages had an immediate impact on critical and emergency response facilities including fire stations and hospitals. Many of these facilities lacked the requisite equipment to respond to an extreme cold event. In some cases, emergency response facilities went without power and/or water. In smaller jurisdictions, many water treatment systems lost power and did not have emergency generators to continue operations. These shortages coincided with a significant increase in emergency response calls, especially for fire departments. The North Texas American Red Cross reported that in February 2021, it responded to more than double the number of fires that it responded to in February 2020, as people resorted to warming themselves indoors with unsafe methods like gas grills and generators. The freeze also caused hospitals to scramble for resources.

In addition to emergency services, residential areas also suffered during the storm. The loss of generator capacity that plagued the electrical grid caused 69 percent of Texans to lose power for an average of 42 hours, according to a study done by the University of Houston. Without power to heat homes, prolonged freezing temperatures caused water pipes to burst, leading to extensive residential damage. According to a survey conducted by Groundworks, a foundation and water management firm, sixteen percent, or approximately 1.2 million Texans surveyed after the storms had water pipes burst during the official incident period (February 11–21, 2021).

A survey the GLO distributed to over 6,500 individuals in local governments, Indian Tribes, Federal government agencies within the state that may have assisted with recovery efforts, nongovernmental organizations, the private sector, and to other stakeholders and affected parties in the surrounding geographic area, including organizations that advocate on behalf of members of protected classes, vulnerable populations, and underserved communities impacted by the disaster, echoed these findings, with over 70 percent of respondents indicating that both their water systems and electric utilities were impacted.

A report by the Texas Department of Insurance (TDI), titled *Insured Losses Resulting from the February 2021 Texas Winter Weather Event*, cites a total of 510,772 insurance claims (residential, commercial, business interruption, automobile, flood, and all other insurance types) reported throughout Texas as a result of the 2021 Winter Storms. Those claims are expected to ultimately pay about \$11.2 billion in insured losses, making it one of the largest insurance claim events in the history of Texas. A total of \$4,125,200,000 in paid out insurance claims was reported for residential properties. Commercial property and business interruption related claims totaled 51,806 claims with \$3,627,800,000 paid out. According to TDI, commercial and personal automobile insurance had a total of 20,065 claims with \$62,200,000 being paid out. Below are the total paid insurance losses for each of the three HUD MID counties, which comprise 51.81 percent of Texas's total insurance pay-out.

- Dallas County: \$1,414,300,000
- Harris County: \$2,018,800,000
- Tarrant County: \$844,400,000
- HUD MID Counties Total: \$4,277,500,000

The state of Texas's most recent State Hazard Mitigation Plan (SHMP) from October 2018 illustrates that communities in Texas experience significant disruptions from, and have a wide range of vulnerabilities, to severe winter weather. The flexibility of the 2021 Winter Storms (21WS) HUD MID Counties Program allows the provision of public services to complement their activities as needs are identified by the HUD MID areas. The services must be made accessible to individuals with disabilities including, but not limited to, mobility, sensory, developmental, emotional, cognitive, and other impairments.

The cumulative impacts of prior disasters are extensive as the state has received CDBG-DR allocations for events which occurred in 2015, 2016, 2017, 2018, 2019, and now 2021. The state also received a CDBG-Mitigation (CDBG-MIT) allocation for 2015, 2016, and 2017 events along with a supplemental CDBG-MIT allocation for events in 2018. The repetitive disasters faced by the state in the past, the diversity of disasters Texas faces, and a rapidly increasing state population – Texas's population added 4,323,551 people from 2010 to 2020 – all combine to present a unique challenge for recovery efforts, and this 21WS HUD MID Counties Program will help to strengthen the state through the mitigation set-aside from the impacts of future winter storms.

3.2 Housing Unmet Need

The following describes the losses and unmet needs related to the 2021 Winter Storms' impact on housing in the HUD MID identified counties and across the state of Texas. Specific references are made to housing damage and challenges to recovery, building upon the introductory damage and impact characterizations in prior sections.

3.2.1 Disaster Damage and Impacts

The prolonged extreme cold, combined with the lack of weatherization for extreme cold temperatures in many homes, led to severe damage to residences across the state. The 2021 Winter Storms set the record in Central Texas for most consecutive hours below freezing, being measured at 164 hours straight at the Austin-Bergstrom International Airport. As Texas rarely endures prolonged extreme cold, most residences are not equipped with the means to endure it, such as proper insulation, double-paned windows, or interior water piping. As a result, the main source of residential damage came from burst water lines within homes, causing damage to attics, walls, and any other part of the home in which those water lines were located. This led to 434,135 residential insurance claims representing \$4,461,400,000 in residential property losses being paid out to policyholders across Texas as of March 31, 2022, according to a report by TDI. Unlike water damage that can result from a severe rain event or storm surge, the water damage that results from a burst pipe is covered under most standard home insurance policies. These insurance payouts suggest that a substantial portion of the residential damage caused by the Winter Storms was covered by insurance. However, the scale of the disaster event, the ongoing COVID-19 pandemic, and supply chain shortages for materials and labor caused extensive delays in addressing residential damages, according to a report by the Texas Comptroller.

In January 2021, the median price of a home in Texas was \$262,000, there were 50,292 listings, and 1.5 months of housing inventory, per the Texas A&M University Texas Real Estate Research Center. The Texas A&M University Texas Real Estate Research Center, through its Housing Activity Trends reporting, further states that housing sales across the state decreased 16.1 percent in February of 2021 due to disruptions from the storms.

The impact to housing from the 2021 Winter Storms damage resulted in 129 counties in Texas qualifying for FEMA IA. This disaster occurred within the context of a housing market with rising costs amid an influx of new residents. Texas added 4,323,551 individuals from 2010 to 2020, increasing the probability of more people and more houses being affected by disasters such as the 2021 Winter Storms.

The state received minimal interest for public services through its outreach and engagement efforts. No public comments were received concerning the need for public services. The statewide 2021 Winter Storms Recovery Survey collected responses on needs pertaining to education or training services. Less than 25% of respondents noted natural hazard and disaster education, training, and awareness programming as a need yet to be implemented. The GLO is not able to implement a single-family housing program with these funds due to the limited allocation and wide-spread nature of the disaster. Most eligible public services complement single family housing

programs, therefore, the possible public services that may be eligible to complement our activities are limited.

The flexibility of the 2021 Winter Storms (21WS) HUD MID Counties Program allows subrecipients to provide public services to complement their activities. Due to the limited funds and extent of the eligible area, a statewide public service program will not be feasible. The three HUD MID counties will assess their recovery needs as a part of their application, including the need for public service. Any public service activities must be made accessible to individuals with disabilities including, but not limited to, mobility, sensory, developmental, emotional, cognitive, and other impairments.

3.2.2 Single Family v. Multi-Family Needs; Owner Occupied v. Tenant

The GLO compiled information to document damages across several different groups including owner-occupied and renter households, households within the MID area, and LMI households across the state. For the purposes of this analysis, the GLO used full applicant-level data collected through FEMA's IA program. FEMA IA data is as of August 2023.

The GLO defines affordable rents as those that comply with High HOME Rents, set by HUD, and other existing Land Use Restriction Agreement (LURA) restrictions, as applicable. High HOME rents, as specified in 24 CFR 92.252, are the lesser of either 1) the fair market rate for comparable units in the area, or 2) 30 percent of a family's adjusted annual income. At least 51 percent of the units for developments that will be built with CDBG-DR funds must be restricted for a minimum affordability period of fifteen years for the rehabilitation or reconstruction of multifamily rental projects with five or more units, and a minimum affordability period of twenty years for the new construction of multifamily rental units with five or more units for LMI individuals earning 80 percent or less of the area median family income (AMFI) at affordable rents. If a rental project that requires rehabilitation or reconstruction is subject to existing affordability requirements associated with other funding sources, the 15-year affordability period may run concurrently (or overlap) with the affordability requirements associated with such other funding.

All proposed affordable multifamily projects within HUD MID counties will affirmatively further fair housing, have at least 51 percent LMI rental units, and have minimum affordability periods for both rehabilitation/reconstruction and new construction.

Homeowners had storm-related damages to homes across the entire state. The below FEMA IA Owner-Occupied table describes the distributions of owner-occupied applicants to the FEMA IA program under the 2021 Winter Storms disaster declaration. The HUD MID area accounts for a total of 88,242 (43.1 percent) of the 204,437 total applicants and a total \$56,335,711 in FEMA Verified Loss, 44.5 percent of the state's total, while the Secondary MID area accounts for 56.9 percent of total applicants and 55.5 percent of total FEMA Verified Loss.

FEMA IA Owner-Occupied						
County	# of Applicants	# of Inspections	# Inspected with Damage	# Received Assistance	Total FEMA Verified Loss	Average FEMA Verified Loss
Dallas County	14,799	4,092	3,012	1,727	\$10,205,578	\$5,909
Harris County	61,240	17,129	12,648	8,820	\$39,876,908	\$4,521
Tarrant County	12,203	2,826	1,888	1,098	\$6,253,225	\$5,695
Rest of Texas	116,195	32,965	24,355	15,405	\$70,304,369	\$4,564
Grand Total	204,437	57,012	41,903	27,050	\$126,640,080	\$4,682
Data Source(s): FEMA IA						

The total FEMA Verified Loss for renters and homeowners is comparable in Dallas and Tarrant counties, but in the state as a whole, homeowners have a higher total FVL. In all three HUD MID counties, there were more FEMA applications from renters than homeowners.

FEMA IA Renter-Occupied						
County	Total Applicants	Total Inspections	Inspected with Damage	Received Assistance	Total FEMA Verified Loss	Average FEMA Verified Loss
Dallas County	28,687	8,835	6,747	4,547	\$8,664,813	\$1,906
Harris County	72,430	14,322	8,424	5,780	\$9,594,735	\$1,660
Tarrant County	20,808	6,492	5,031	3,448	\$6,503,823	\$1,886
Rest of Texas	82,567	17,056	10,270	7,149	\$11,995,069	\$1,678
Total	204,492	46,705	30,472	20,924	\$36,758,440	\$1,757
Data Source: FEMA IA						

The below FEMA IA Applicants by Housing Type table shows the distribution of FEMA IA applications received by housing type. Most applications originated from houses and duplexes, followed by apartments and mobile homes. Overall, 49.96 percent of applicants were owner-occupied housing and approximately 49.97 percent were tenants, making for nearly an equal split.

FEMA IA Applicants by Housing Type					
Residence Type	Total Applicants	Percentage of Total	Owner-Occupied	Tenants	Unknown
Apartment	98,389	24.04%	0.06%	99.93%	0.01%
Assisted Living Facility	253	0.06%	0.00%	99.60%	0.40%
Boat	82	0.02%	81.71%	18.29%	0.00%
College Dorm	35	0.01%	0.00%	100.00%	0.00%
Condo	3,712	0.91%	53.10%	46.74%	0.16%
Correctional Facility	24	0.01%	4.17%	95.83%	0.00%
House/Duplex	256,139	62.59%	67.03%	32.88%	0.09%
Military Housing	142	0.03%	0.00%	100.00%	0.00%
Mobile Home	26,573	6.49%	74.39%	25.52%	0.09%
Other	11,495	2.81%	50.40%	49.29%	0.30%
Townhouse	9,341	2.28%	28.92%	71.03%	0.05%
Travel Trailer	3,053	0.75%	78.45%	21.49%	0.07%
Total	409,238	100.00%	49.96%	49.97%	1.17%
Data Source: FEMA IA					

To calculate the level of damage for owner-occupied households, HUD categorized the FEMA inspected owner units into one of five categories:

- Minor-Low: Less than \$3,000 of FEMA inspected real property damage.
- Minor-High: \$3,000 to \$7,999 of FEMA inspected real property damage.
- Major-Low: \$8,000 to \$14,999 of FEMA inspected real property damage and/or more than one foot of flooding on the first floor.

- Major-High: \$15,000 to \$28,800 of FEMA inspected real property damage and/or 4 to 5.9 feet of flooding on the first floor.
- Severe: Greater than \$28,800 of FEMA inspected real property damage or determined destroyed and/or six or more feet of flooding on the first floor.

The below FEMA Real Property Damage Owner Occupied Units table shows the distributions of impacts to homeowner units for the FEMA IA-declared counties and Texas as a whole. The majority of homeowner units experienced minor-low and minor-high impacts, totaling 40,664 units, with major and severe impacts accounting for only 1,239 applications, or 0.6 percent of all applications. In total 20.5 percent of owner-occupied units had damage.

FEMA Real Property Damage Owner Occupied Units								
County	Minor-Low	Minor-High	Major-Low	Major-High	Severe	No Damage	% with Damage	Total
Dallas County	1,038	1,842	127	5	0	11,787	20.35%	14,799
Harris County	4,609	7,731	298	7	3	48,592	20.65%	61,240
Tarrant County	660	1,157	71	0	0	10,315	15.47%	12,203
Rest of Texas	11,235	12,392	708	19	1	91,840	20.96%	116,195
Total	17,542	23,122	1,204	31	4	162,534	20.50%	204,437
Data Source: FEMA IA								

Rental household damage is calculated based on personal property damage, because FEMA does not inspect rental units for real property damage. To calculate the level of damage for rental households, HUD categorized the FEMA inspected owner units into one of five categories:

- Minor-Low: Less than \$1,000 of FEMA inspected personal property damage.
- Minor-High: \$1,000 to \$1,999 of FEMA inspected personal property damage.
- Major-Low: \$2,000 to \$3,499 of FEMA inspected personal property damage or more than one foot of flooding on the first floor.
- Major-High: \$3,500 to \$7,499 of FEMA inspected personal property damage or four to six feet of flooding on the first floor.
- Severe: Greater than \$7,500 of FEMA inspected personal property damage or determined destroyed and/or six or more feet of flooding on the first floor.

The below FEMA Real Property Damage Rental Units table shows the distribution of impacts to rental units for the FEMA IA-declared counties and Texas as a whole. The majority of homeowner units experienced minor-low and minor-high impacts, totaling 25,270 units, with only 69 units categorized as severe and the remaining 5,063 units categorized as major-high or major-low. Harris County accounts for over 36 percent of all damaged rental units.

FEMA Real Property Damage Renter Occupied Units								
County	Minor-Low	Minor-High	Major-Low	Major-High	Severe	No Damage	% with Damage	Total
Dallas County	3,418	2,029	980	303	15	21,941	23.51%	28,686
Harris County	4,988	2,169	904	333	17	64,015	11.61%	72,426
Tarrant County	2,601	1,459	721	233	11	15,783	24.15%	20,808
Rest of Texas	5,965	2,663	1,153	436	26	72,322	12.40%	82,565
Grand Total	16,971	8,320	3,758	1,305	69	174,061	14.88%	204,485
Data Source(s): FEMA IA								

In addition to FEMA Individual Assistance, the Small Business Administration's (SBA) Disaster Home Loan Program provides financial assistance to homeowners and renters. SBA limits loans

to \$200,000 for repair or replacement of a homeowner's primary residence and \$40,000 to repair or replace either a renter's or homeowner's personal property. The data below reflects SBA Disaster Home Loan Program data available as of May 3, 2023, for Texas.

SBA Home Loans			
County	Total Applicants	Total Verified Loss	Total Approved Loans
Dallas County	4,209	\$34,177,889	\$15,101,800
Harris County	10,157	\$102,679,432	\$49,072,813
Tarrant County	2,980	\$26,008,397	\$11,260,250
Rest of Texas	32,690	\$157,297,443	\$90,494,716
Total	50,036	\$320,163,162	\$165,929,579
Data Source(s): SBA			

3.2.3 Public Housing and Affordable Housing

The Texas Department of Housing and Community Affairs (TDHCA) administers a number of affordable housing programs throughout the state. TDHCA reported that out of their 644 housing developments in the HUD MID area, 184 reported damage caused by the 2021 Winter Storms, equating to 28.57 percent of their affordable housing developments realizing damages. The GLO consulted with Public Housing Authorities in the HUD MID Counties and the Texas Department of Housing & Community Affairs (TDHCA) as a part of the creation of the Action Plan.

A total of 1,853 housing units within those developments suffered damage as well. Below is a summary of TDHCA reported damages per the three HUD MID counties (this does not include Public Housing Authority Data):

- Dallas County – 43 damaged properties, 531 damaged units
- Harris County – 91 damaged properties, 776 damaged units
- Tarrant County – 50 damaged properties, 546 damaged units

Another dataset from the National Housing Preservation Database (NHPD) includes all affordable housing units across the country for which information can be found. According to the NHPD, the three HUD MID counties have the following affordable housing inventories:

- Dallas County – 242 properties, 34,646 units
- Harris County – 388 properties, 60,432 units
- Tarrant County – 190 properties, 25,282 units

Multifamily Assisted Housing					
Type Of Damage	# of Properties	# of Units	# of Units Assisted	# of Units Waiting Assistance	Remaining Unmet Need
Minor-Low	N/A	6,751	4,760	1,973	\$958,189
Minor-High	N/A	3,773	3,095	678	\$1,199,537
Major-Low	N/A	1,536	1,315	221	\$836,969
Major-High	N/A	483	411	72	\$681,443
Severe	N/A	17	13	4	\$73,333
Total	N/A	12,560	9,594	2,948	\$3,749,471
Data Source(s): FEMA IA					

Public Housing Authorities Damaged				
County/Municipality	# PHA Developments	# Damaged PHA Developments	# of Units Damaged	Remaining Unmet Needs
Dallas County	18	N/A	N/A	N/A
Harris County	15	N/A	N/A	N/A
Tarrant County	4	N/A	N/A	N/A
Rest of Texas	425	32	207	N/A
Total	462	32	207	N/A
Data Source(s): HUD Office of Policy Development and Research Geospatial Data Storefront				

3.2.4 Fair Housing, Civil Rights Data and Advancing Equity

The fair and equitable treatment of vulnerable populations is a priority for Texas in the allocation of all CDBG-DR funds. The Social Vulnerability Index (SoVI), the low- and moderate-income (LMI) analysis, demographic data, environmental hazard and homeless information for the impacted areas of the 2021 Winter Storms provide critical insights to further understand vulnerable populations in the impacted areas. The GLO will not discriminate against potential beneficiaries with disabilities, of racial and ethnic communities, or vulnerable populations through the administration of these funds.

The 2019 State of Texas Analysis of Impediments to Fair Housing Choice, adopted by the Texas Department of Housing and Community Affairs governing board, outlines five primary impediments:

1. Not in My Backyard Syndrome (NIMBYism) limits affordable housing development, which could limit housing choice for protected classes in some communities.
2. There is a lack of understanding of and awareness of resources on fair housing law, rights, and duties available to local governments, stakeholders, and the public about fair housing requirements and programs to assist low-income residents and persons with disabilities.
3. Protected classes may experience obstacles in accessing homeownership and lending products.
4. The scarcity and location of accessible and visitable housing units limits fair housing choice for persons with disabilities.
5. There are barriers for specific protected classes that limit mobility and free housing choice.

Due to the significant geography of the eligible area and limited nature of the funds available, none of the wide scopes of the above impediments can be fully addressed. However, through its work on this action plan, the GLO can partially address some aspects.

The GLO maintains existing mapping tools that can support fair housing and will update them to be relevant to the 2021 Winter Storms area. Fair housing mapping applications and other resources on the GLO website will be made available to subrecipients to identify concentrated areas of protected classes, giving the opportunity to address issues associated with impediment number one. In addition to providing fair housing resources on the GLO website, the GLO will make fair housing resources available to subrecipients, addressing concerns associated with impediment number two.

When the 2021 Winter Storms disaster occurred, 63.64% of Black or African American, and 48.40% of Hispanic or Latino Origin households were renter-occupied households, compared to 37.57% of White only households. Considering these statistics, the 2021 Winter Storms (21WS) HUD MID Counties Program allows for the rehabilitation, reconstruction, and new construction of affordable multifamily housing, focusing on supportive housing needs and mitigation.

In addition to the limitation of fair housing choice as outlined in impediment number four above, persons with disabilities require specialized equipment and additional resources for assistance in the event of a disaster. The Secondary MID area is comprised of 12.26% disabled persons, which is higher than the HUD MID area at 9.73%. The 21WS Fire Facilities and Protective Measures (FFPM) Program will help support these needs by prioritizing fire protection facilities and fire protection equipment in the Secondary MID area.

The GLO will encourage potential applicants to use this assessment to prioritize needs that benefit vulnerable populations and protected classes when applying to both the 21WS HUD MID Counties and the 21WS FFPM Programs.

The demographic assessment of the HUD MID counties demonstrates the intersection between protected class groups and the targeting of natural hazard response for CDBG-DR funded activities.

The GLO will include as eligible activities the rehabilitation, reconstruction, and replacement of the following types of public and assisted housing affected by the 2021 Winter Storms: (1) public housing (including administrative offices); (2) multifamily HUD-assisted housing; (3) multifamily income-restricted housing; (4) McKinney-Vento Homeless Assistance Act-funded shelters and housing for the homeless (including emergency shelters and transitional and permanent housing for the homeless); and (5) multifamily private market units receiving project-based assistance, or with tenants that participate in the Section 8 Housing Choice Voucher Program.

3.2.4.1 Affirmatively Furthering Fair Housing (AFFH) Requirements

The GLO and subrecipients are required to use CDBG – DR funds in a manner that complies with their fair housing and nondiscrimination obligations. The GLO will ensure subrecipients meet these obligations.

Subrecipients may find AFFH requirements and monitoring details in GLO's Implementation Manual and other program guidance documents for further details on the GLO website. Additionally, recordkeeping requirements may be found at 24 CFR 570.506 and 24 CFR 570.490(b).

All proposed projects will undergo AFFH review by the applicant before GLO approval to ensure that use of CDBG-DR funds are consistent with AFFH obligations. Such review will include assessments of: (1) a proposed project's area demography; (2) socioeconomic characteristics; (3) housing configuration and needs; (4) educational, transportation, and health care opportunities; (5) environmental hazards or concerns; and (6) all other factors material to the AFFH determination.

3.2.4.2 HUD MID Area Demographic Information

To further understand the demographic characteristics of the HUD MID area, the following information for the HUD MID Counties is detailed below:

- Racial and ethnic makeup by block group
- Population in poverty by block group
- Low- and Moderate-Income Summary Data (LMISD) determination (51.0 percent or greater) by block group
- Environmental hazards by county
- Federally recognized Indian tribes for the state of Texas
- Sexual orientation for the state of Texas
- National origin by county
- Religion for the state of Texas
- Familial status by county
- Limited English Proficiency (LEP) by language spoken by county

In conducting a data assessment and review for the Action Plan, no pertinent data is available to identify the protected classes of color at a relevant level of analysis.

Infrastructure activities funded under the urgent need national objective must be justified by the subrecipient. An alternative urgent need national objective is in effect for a period of 36 months following the applicability date of the Allocation Announcement Notice of May 31, 2022 for 87 FR 31636 (May 24, 2022) and January 23, 2023 for 88 FR 3198 (January 18, 2023). After 36 months, the state will be required to follow the criteria established in section 104(b)(3) of the HCDA and its implementing regulations in 24 CFR part 570 when using the urgent need national objective for any new programs and/or added to a action plan.

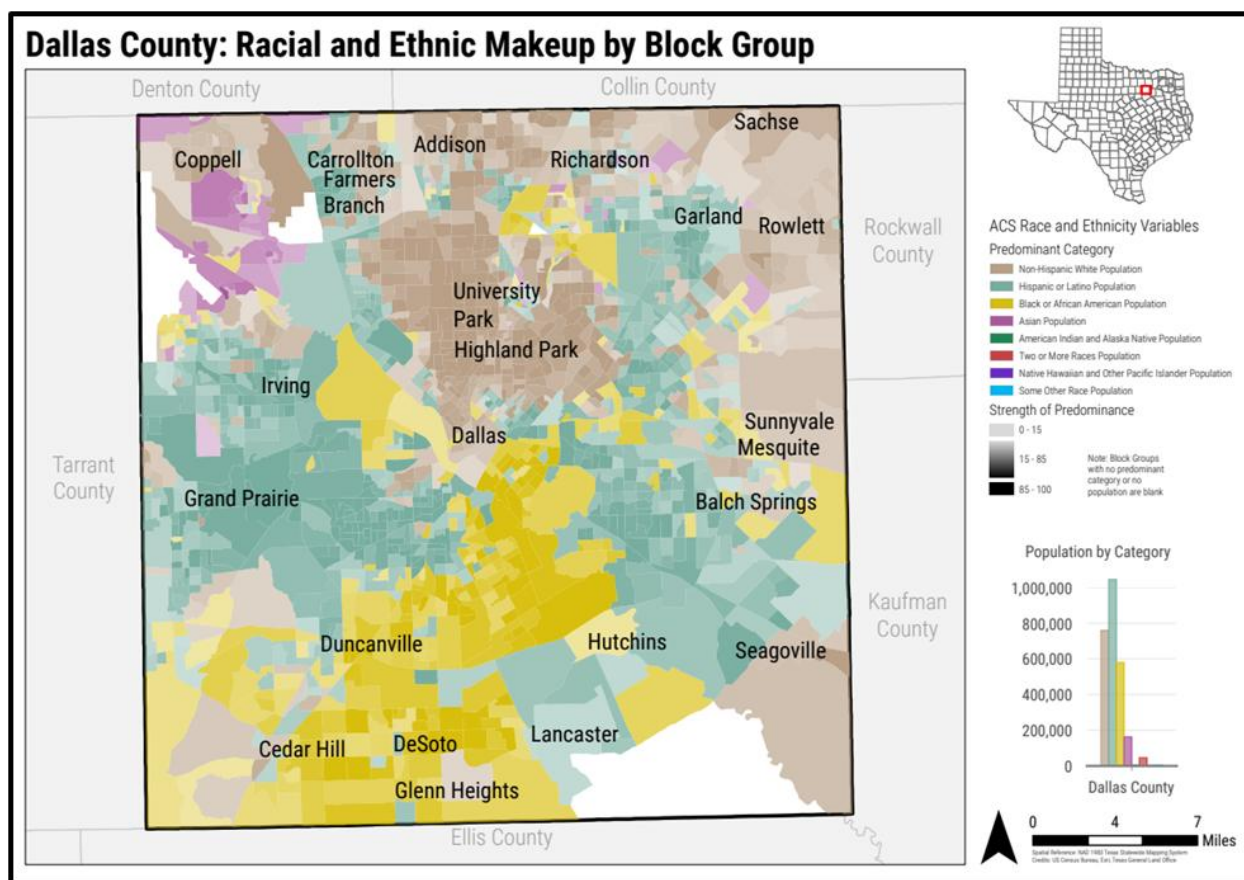
The Racial and Ethnic Makeup by Block Group maps for Dallas, Harris, and Tarrant counties below illustrate the predominant racial/ethnic group in each block group in addition to displaying the strength of that predominance.

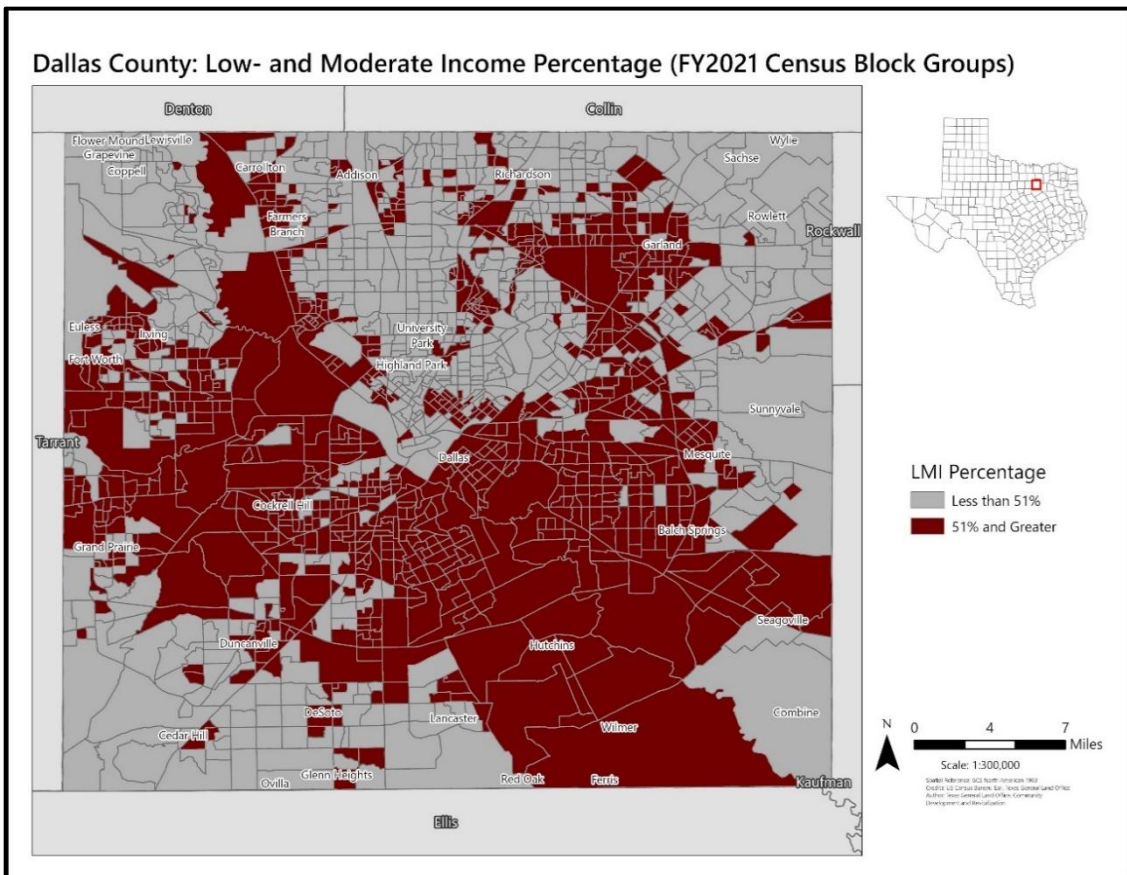
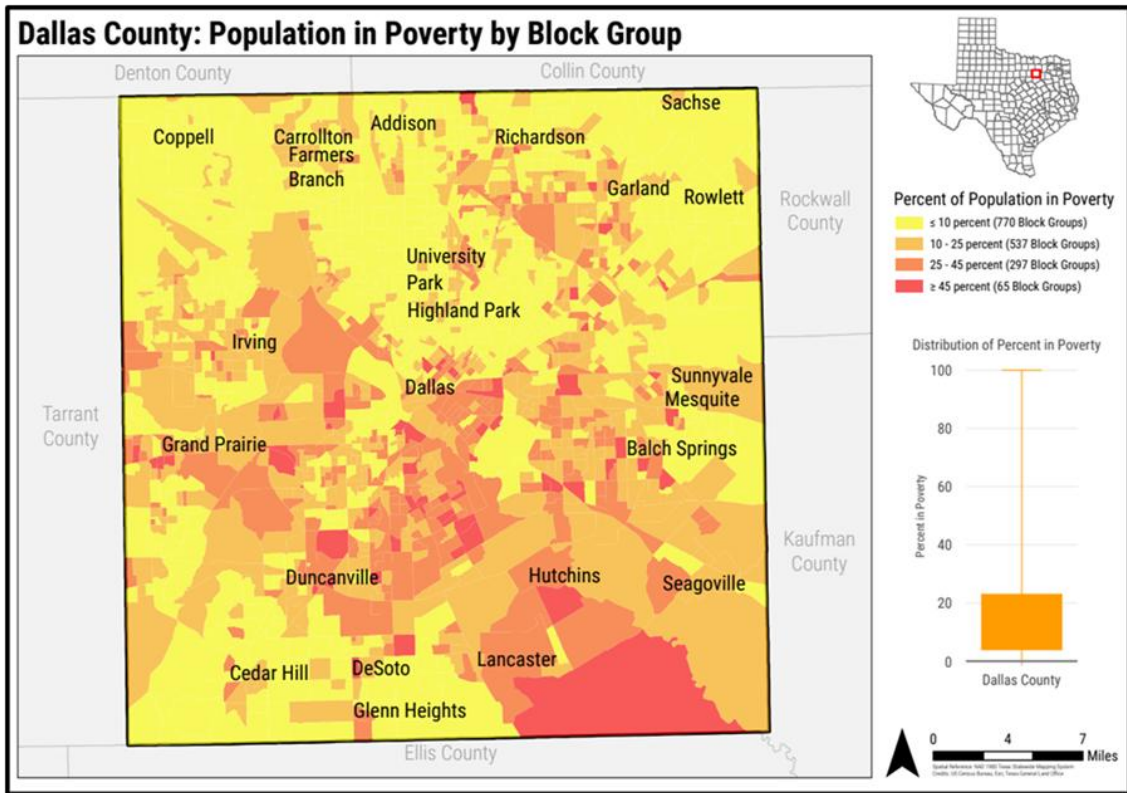
The Population in Poverty maps for the three HUD MID counties show the percentage of the population in each block group that is in poverty as well as providing a summary of the total

number of block groups that fall within the different poverty categories and total number of people in poverty for each county.

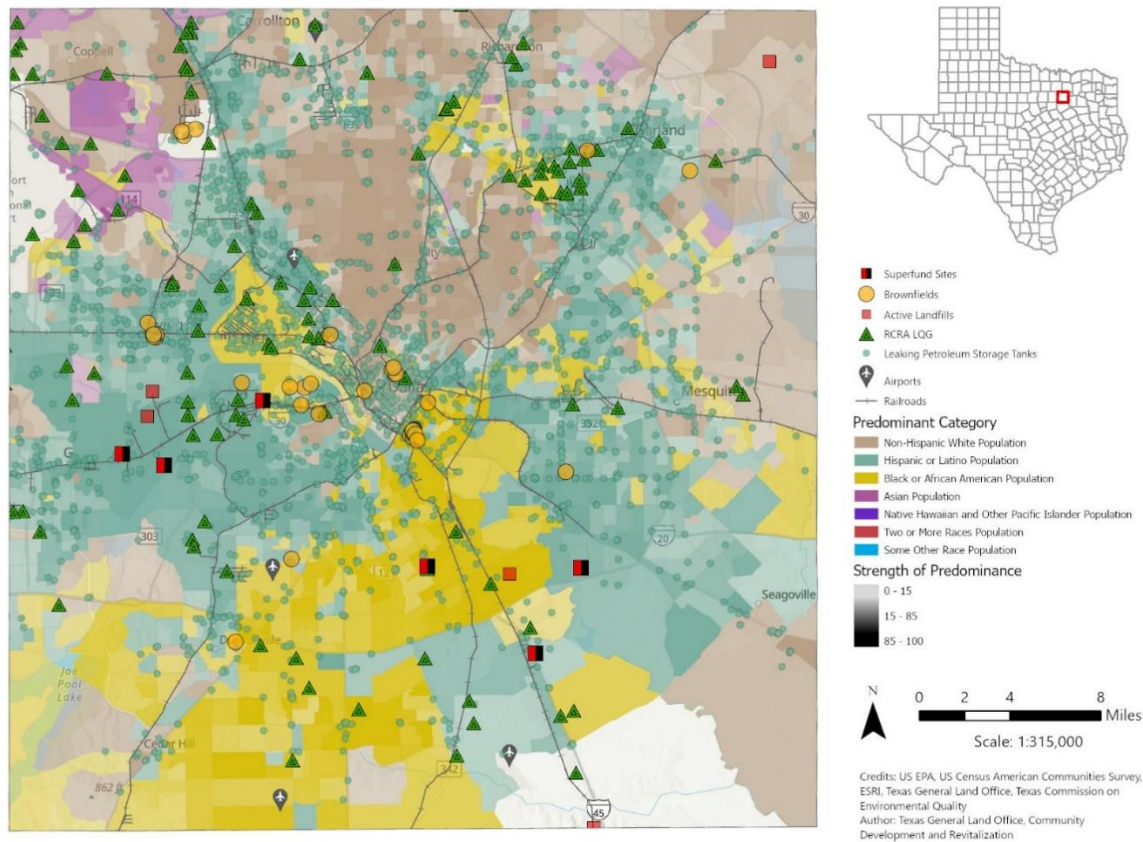
The Low- and Moderate-Income Percentage maps for the three HUD MID counties illustrate which block groups within those counties have an LMI percentage of 51 percent and greater, which is the threshold for meeting the LMI national objective, and which block groups are below the threshold.

The environmental hazards maps for the three HUD MID counties show the locations of superfund sites, brownfields, active landfills, large quantity generators of hazardous waste and leaking petroleum storage tanks to assist communities in identifying environmental concerns that may impact the siting of funded projects.

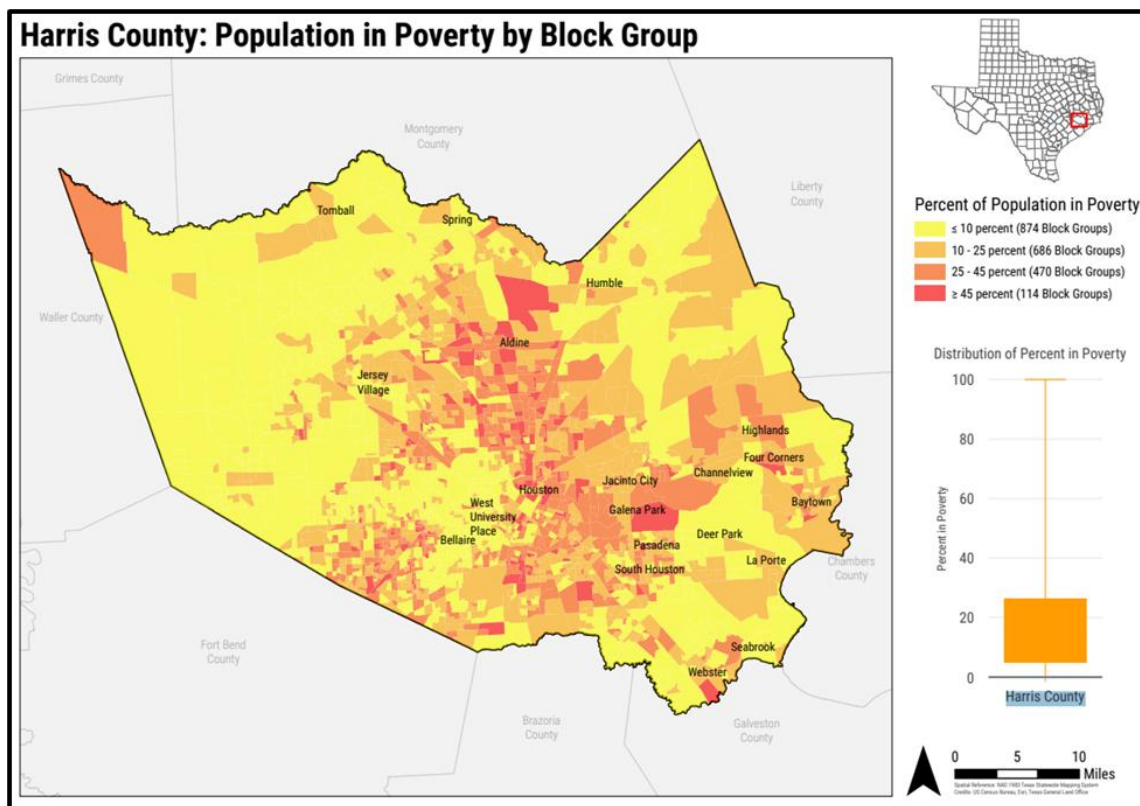
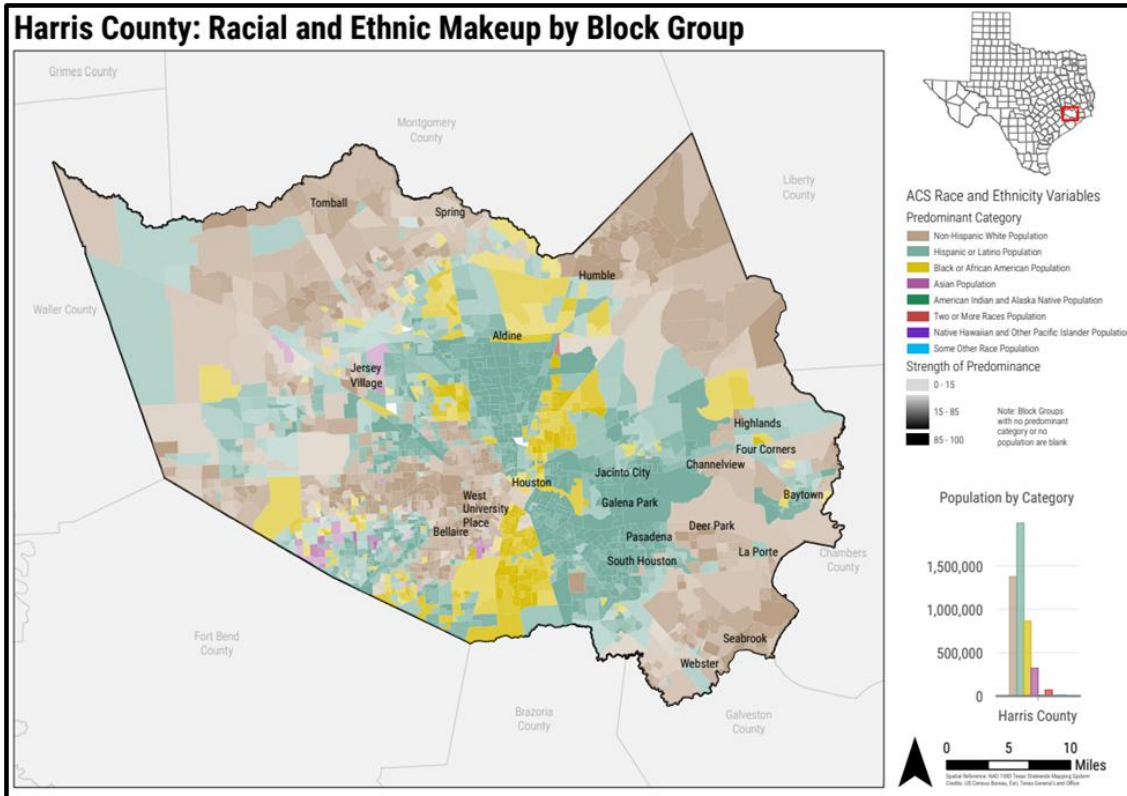




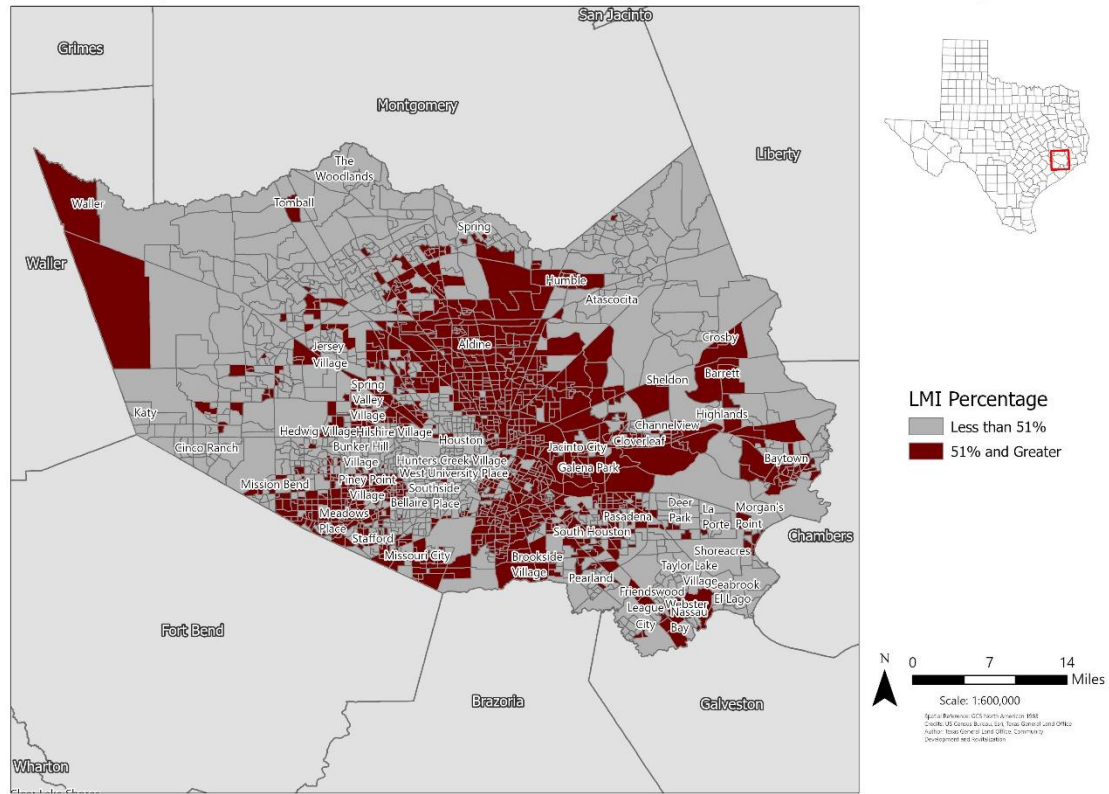
Dallas County: Environmental Hazards



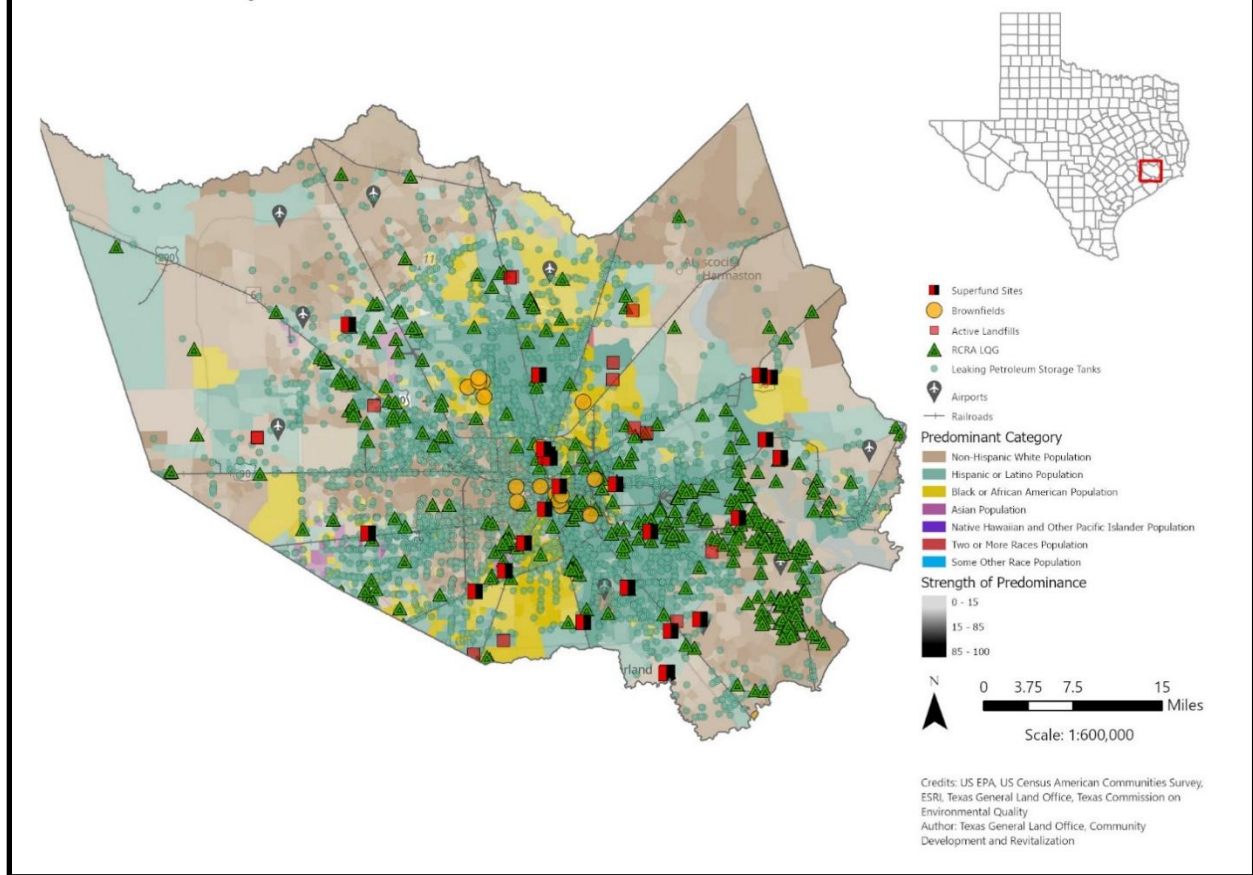
Dallas County contains 6 Superfund Sites, 38 Brownfield Sites, 5 Active Landfills, and 117 Large Quantity Generators (LQGs) of Hazardous Waste. The Superfund sites are located in the south and western portions of the county; while Brownfields are more scattered throughout the county, the majority are concentrated in the central part of the county (the city of Dallas) and just west of the city of Dallas. LQGs are found throughout the county with the highest concentrations in the northwest, northeast, and southern portions of the county. In general, these environmental hazards are found within areas that are predominantly Hispanic/Latino or African American. All of the Superfund sites are found within areas that are predominantly Hispanic/Latino or African American.



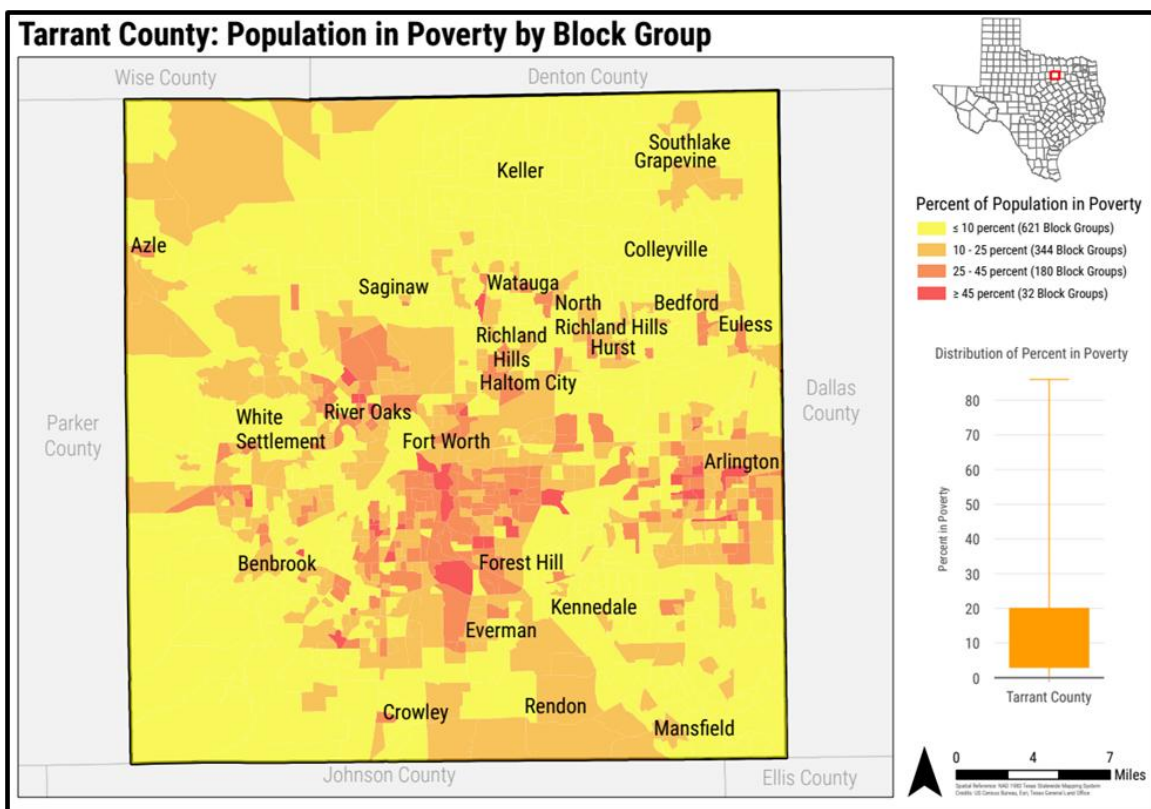
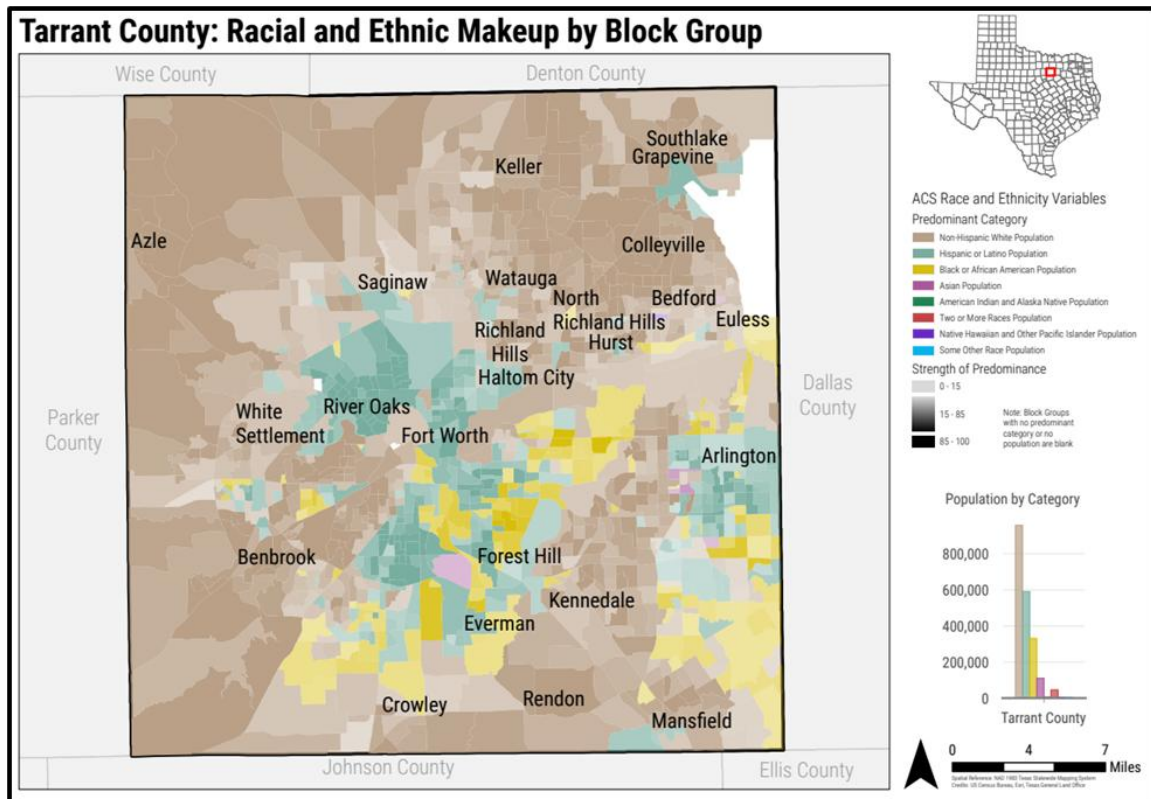
Harris County: Low- and Moderate Income Percentage (FY2021 Census Block Groups)



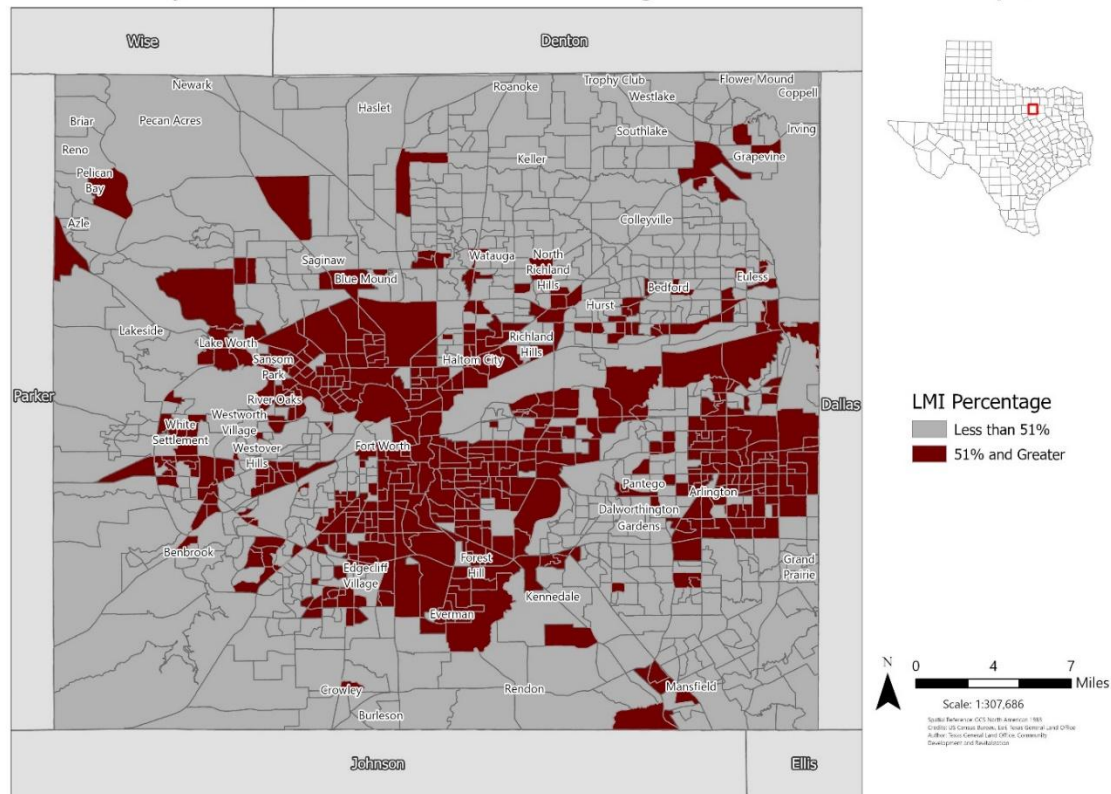
Harris County: Environmental Hazards



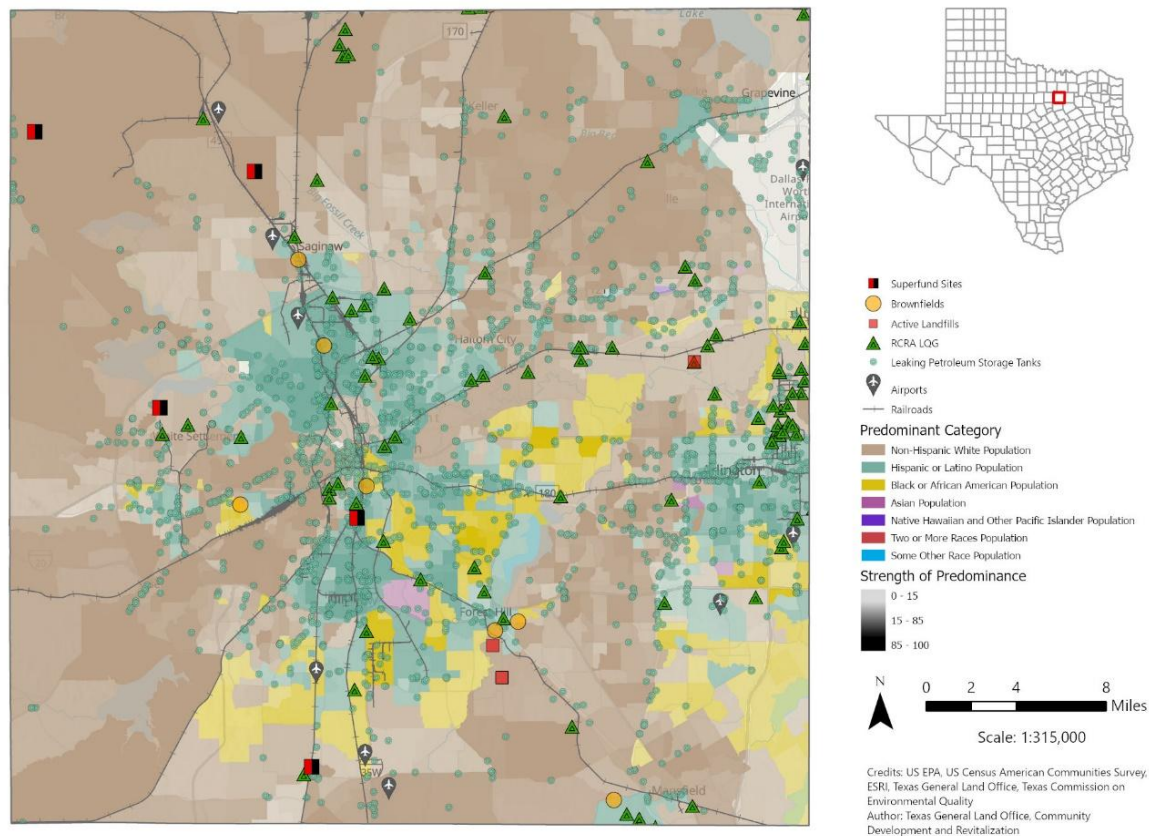
Harris County contains 25 Superfund Sites, 20 Brownfield Sites, 14 Active Landfills, and 346 Large Quantity Generators of Hazardous Waste. These sites are dispersed through the county, and often follow major transportation (particularly rail) corridors, however they tend to cluster in areas with lower numbers of White (non-Hispanic) persons, with the exception of southeast Harris County, which is predominantly White (non-Hispanic) and host to a heavy concentration of Large Quantity Generators of Hazardous Waste. While Superfund sites are scattered throughout the county, Brownfield sites are more concentrated in central Houston and fall within areas that are either predominantly Hispanic/Latino or African American.



Tarrant County: Low- and Moderate Income Percentage (FY2021 Census Block Groups)



Tarrant County: Environmental Hazards



Tarrant County contains 5 Superfund Sites, 7 Brownfield Sites, 3 Active Landfills, and 84 Large Quantity Generators (LQGs) of Hazardous Waste. The Superfund sites are spread throughout the western portion of the county extending north and south, while Brownfields are clustered in the central part of the county (the city of Fort Worth) near rail lines that extend from the city center. LQGs are found throughout the county with the highest concentrations in the central and eastern portions of the county. With the exception of one Superfund site just south of downtown Fort Worth, the remaining Superfund sites are located in areas that are predominantly White (non-Hispanic). The Brownfields tend to fall in areas that are predominantly Hispanic/Latino or African American, while the Active Landfills within the county are all in areas that are predominantly White (non-Hispanic). Because LQGs are so spread out across the county and the non-White population is concentrated within the central (Fort Worth) and eastern (Arlington) portion of the county, the prevalence of LQGs is evenly distributed among areas are varying racial predominance.

3.2.4.2.1 Federally Recognized Indian Tribes

Although there are no Federally recognized Indian tribes within the HUD MID counties of Dallas, Harris, and Tarrant, there are three federally recognized tribal nations within the state of Texas

and, accordingly, within the Secondary MID area. Those nations are the Ysleta del Sur Pueblo of Texas located in El Paso County, the Kickapoo Traditional Tribe of Texas located in Maverick County, and the Alabama-Coushatta Tribe of Texas located in Polk County. The HUD methodology states that CDBG-DR programs must account for the land area and enrolled members of federally recognized tribes, to summarize the tribes, their members, and the lands of their reservations.

The Ysleta del Sur Pueblo (YDSP), also known as the Tigua Pueblo, moved to West Texas during the late 1600s after fleeing Spanish oppression, and represents the oldest running government within the state, having been established in 1682. Ysleta is located thirteen miles from downtown El Paso and the current population of the nation is 4,226, per the tribe's website.

The Kickapoo Traditional Tribe of Texas (KTTT) has a current population of 1,095 enrolled members and was officially recognized by the Texas Indian Commission in 1977. The KTTT Reservation is roughly 120 acres and located by the Rio Grande on the US-Mexico border just south of Eagle Pass and a part of the Rosita Valley community, per the tribe's website. The Texas Kickapoo settled in Texas in the early 1800s at the invitation of the Spanish government.

The Alabama-Coushatta Tribe of Texas is the oldest Indian reservation in Texas with approximately 10,200 acres located in the Big Thicket of Deep East Texas. There are more than 1,300 members about half of whom live on the reservation. The Alabama-Coushatta represent the merging of two tribes who lived in adjacent areas of what is now Alabama. These tribes migrated to modern-day East Texas by 1780 and participated in the Texas War of Independence from Mexico on the side of the revolutionaries, which resulted in the Republic of Texas recognizing the tribes' claim to lands in the new country, per the tribe's website.

3.2.4.2.2 Additional HUD MID Area Demographics

The datasets provided by HUD (ACS 2021 5-year estimates B09019) state that approximately 0.47% of couples within the state of Texas identified as same-sex couples. For the Dallas Metro area, which encompasses both Dallas and Tarrant Counties, 4.1% of the population identifies as LGBT, while 4.0% of the Houston Metro area, which encompasses Harris County, identify as LGBT, per the Williams Institute through HUD.

To support the analysis of protected classes (Race, Color, National Origin, Religion, Sex, Familial Status and Disability) demographics on each have been provided. Race and Disability demographics may be found in the Grantee Demographics and Disaster Impacted Populations table later in this section. No pertinent data is available to identify protected classes on Color. Below are demographic tables for National Origin, Religion (using HUD provided data), and Familial Status. Limited English Proficiency (LEP) by language spoken has also been included.

National Origin								
	State of Texas		Dallas County		Harris County		Tarrant County	
	Estimate	Percent	Estimate	Percent	Estimate	Percent	Estimate	Percent
Total population	30,029,572	-	2,600,840	100.00%	4,780,913	-	2,154,595	-
Native	24,860,446	82.80%	1,968,964	75.70%	3,511,036	73.40%	1,803,486	83.70%
Born in United States	24,349,220	81.10%	1,935,293	74.40%	3,423,324	71.60%	1,759,373	81.70%
State of residence	17,508,882	58.30%	1,381,814	53.10%	2,507,343	52.40%	1,148,748	53.30%
Different state	6,840,338	22.80%	553,479	21.30%	915,981	19.20%	610,625	28.30%
Born in Puerto Rico, U.S. Island areas, or born abroad to American parent(s)	511,226	1.70%	33,671	1.30%	87,712	1.80%	44,113	2.00%
Foreign born	5,169,126	17.20%	631,876	24.30%	1,269,877	26.60%	351,109	16.30%
U.S. Citizenship Status								
Foreign-born population	5,169,126	-	631,876	-	1,269,877	-	351,109	-
Naturalized U.S. citizen	2,245,345	43.40%	231,210	36.60%	506,254	39.90%	152,417	43.40%
Not a U.S. citizen	2,923,781	56.60%	400,666	63.40%	763,623	60.10%	198,692	56.60%
Year of Entry								
Population born outside the United States	5,680,352	-	665,547	-	1,357,589	-	395,222	-
Native	511,226	-	33,671	-	87,712	-	44,113	-
Entered 2010 or later	197,423	38.60%	14,662	43.50%	35,000	39.90%	20,683	46.90%
Entered before 2010	313,803	61.40%	19,009	56.50%	52,712	60.10%	23,430	53.10%
Foreign born	5,169,126	-	631,876	-	1,269,877	-	351,109	-
Entered 2010 or later	1,774,029	34.30%	221,152	35.00%	483,120	38.00%	118,767	33.80%
Entered before 2010	3,395,097	65.70%	410,724	65.00%	786,757	62.00%	232,342	66.20%
World Region of Birth of Foreign Born								
Foreign-born population, excluding population born at sea	5,169,126	-	631,876	-	1,269,877	-	351,109	-
Europe	222,731	4.30%	15,675	2.50%	46,424	3.70%	15,183	4.30%
Asia	1,218,799	23.60%	131,624	20.80%	259,592	20.40%	96,117	27.40%
Africa	302,525	5.90%	52,118	8.20%	67,705	5.30%	41,880	11.90%
Oceania	14,772	0.30%	481	0.10%	1,822	0.10%	1,308	0.40%
Latin America	3,352,544	64.90%	429,142	67.90%	883,041	69.50%	194,149	55.30%
Northern America	57,755	1.10%	2,836	0.40%	11,293	0.90%	2,472	0.70%
Data Source(s): 2021 ACS 5-Year Estimates DP02								

Religion			
	State of Texas	Dallas Metro Area (Tarrant and Dallas Counties)	Houston Metro Area (Harris County)
Christian	77%	78%	73%
Evangelical Protestant	31%	38%	30%
Mainline Protestant	13%	14%	11%
Historically Black Protestant	6%	7%	9%
Catholic	23%	15%	19%
Mormon	1%	1%	1%
Orthodox Christian	1%	1%	1%
Jehovah's Witness	1%	1%	1%
Other Christian	1%	1%	1%
Non-Christian Faiths	4%	4%	7%
Jewish	1%	1%	2%
Muslim	1%	1%	1%
Buddhist	1%	<1%	1%
Hindu	<1%	<1%	1%
Other World Religions	<1%	<1%	<1%
Other Faiths	1%	2%	1%
Unaffiliated	18%	18%	20%
Atheist	2%	1%	2%
Agnostic	3%	4%	3%
Nothing in Particular	13%	12%	16%
Don't Know	<1%	<1%	<1%
Data Source(s): Pew Research Center Religious Landscape Study Provided by HUD			

Familial Status								
	Texas		Dallas County		Harris County		Tarrant County	
	Estimate	Percent	Estimate	Percent	Estimate	Percent	Estimate	Percent
Total households	11,087,708	-	992,995	-	1,779,980	-	787,083	-
Married-couple household	5,401,546	48.70%	413,479	41.60%	778,614	43.70%	386,639	49.10%
Married-couple household with children of the householder under 18 years	2,311,606	20.80%	174,883	17.60%	342,880	19.30%	172,981	22.00%
Cohabiting couple household	755,355	6.80%	67,164	6.80%	151,721	8.50%	51,189	6.50%
Cohabiting couple household with children of the householder under 18 years	279,608	2.50%	21,409	2.20%	71,253	4.00%	18,432	2.30%
Male householder, no spouse/partner present	1,996,071	18.00%	209,223	21.10%	350,771	19.70%	141,664	18.00%
Male householder, no spouse/partner present with children of the householder under 18 years	133,832	1.20%	11,168	1.10%	18,302	1.00%	9,828	1.20%
Male householder, no spouse/partner present, householder living alone	1,378,827	12.40%	145,441	14.60%	244,061	13.70%	103,054	13.10%
Male householder, no spouse/partner present 65 years and over	319,602	2.90%	26,460	2.70%	43,463	2.40%	22,987	2.90%
Female householder, no spouse/partner present	2,934,736	26.50%	303,129	30.50%	498,874	28.00%	207,591	26.40%
Female householder, no spouse/partner present with children of the householder under 18 years	626,367	5.60%	60,936	6.10%	110,598	6.20%	41,489	5.30%
Female householder, no spouse/partner present, householder living alone	1,535,529	13.80%	162,560	16.40%	253,291	14.20%	113,625	14.40%
Female householder, no spouse/partner present 65 years and over	639,915	5.80%	56,280	5.70%	86,544	4.90%	47,494	6.00%
Households with one or more people under 18 years	3,765,463	34.00%	309,060	31.10%	612,049	34.40%	268,871	34.20%
Households with one or more people 65 years and over	2,924,622	26.40%	228,484	23.00%	422,746	23.80%	193,894	24.60%
Data Source(s): 2021 ACS 5-Year Estimates DP02								

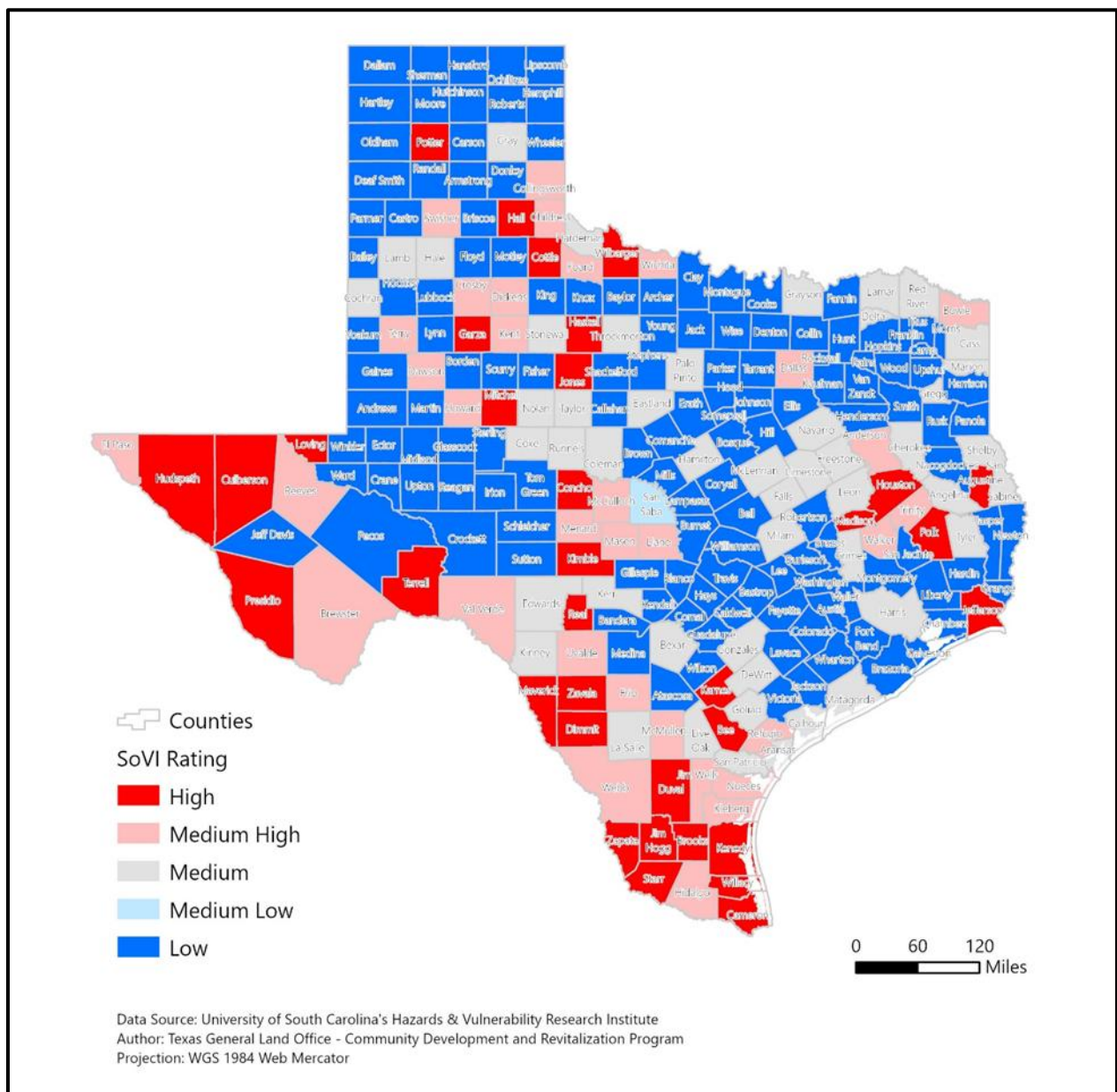
Limited English Proficiency (LEP) by Language Spoken								
	State of Texas		Dallas County		Harris County		Tarrant County	
	Estimate	Percent	Estimate	Percent	Estimate	Percent	Estimate	Percent
Total Households	11,087,708	100.00%	992,995	100.00%	1,779,980	100.00%	787,083	100.00%
Spanish Limited English speaking households	623,778	5.63%	63,957	6.44%	171,996	9.66%	30,847	3.92%
French, Haitian, or Cajun Limited English speaking households	7,146	0.06%	1,440	0.15%	1,000	0.06%	2,391	0.30%
German or other West Germanic languages Limited English speaking householdss	2,697	0.02%	0	0.00%	164	0.01%	85	0.01%
Russian, Polish, or other Slavic languages Limited English speaking households	3,634	0.03%	41	0.00%	659	0.04%	963	0.12%
Other Indo-European languages Limited English speaking households	20,252	0.18%	2,812	0.28%	4,056	0.23%	1,434	0.18%
Korean Limited English speaking households	8,654	0.08%	706	0.07%	1,061	0.06%	528	0.07%
Chinese (incl. Mandarin, Cantonese) Limited English speaking households	23,675	0.21%	1,703	0.17%	7,298	0.41%	985	0.13%
Vietnamese Limited English speaking households	27,859	0.25%	2,430	0.24%	12,705	0.71%	3,566	0.45%
Tagalog (incl. Filipino) Limited English speaking households	3,059	0.03%	105	0.01%	1,273	0.07%	401	0.05%
Other Asian and Pacific Island languages Limited English speaking households	17,948	0.16%	2,328	0.23%	3,201	0.18%	1,968	0.25%
Arabic Limited English speaking households	5,841	0.05%	491	0.05%	2,013	0.11%	329	0.04%
Other and unspecified languages Limited English speaking households	11,160	0.10%	3,166	0.32%	1,999	0.11%	870	0.11%
Data Source(s): 2021 ACS 1-Year Estimates B16002								

3.2.4.3 Social Vulnerability Index (SoVI)

The Social Vulnerability Index (SoVI) measures the social vulnerability of counties across the United States — in particular, their vulnerability to environmental hazards. This index, developed by the University of South Carolina’s Hazards & Vulnerability Research Institute, synthesizes 29 socioeconomic variables which contribute to reduction in a community’s ability to prepare for, respond to, and recover from hazards. SoVI is a comparative metric that facilitates the examination of the differences in vulnerability among counties. It is a valuable tool because it graphically illustrates the geographic variation in social vulnerability, which in turn contributes greatly to response and recovery capabilities. SoVI shows where there is uneven capacity for disaster preparedness and response, and where resources might be used most effectively to reduce pre-existing vulnerability. The data sources for the development of SoVI come primarily from the United States Census Bureau. The SoVI data combines the best available data from both the 2010 U.S. Decennial Census and 5-year estimates from the American Community Survey (ACS).

The SoVI details above are further explained by some of the characteristics at the individual level that affect vulnerability. One of these characteristics is that of Socioeconomic Status which affects the ability of a community to absorb losses and be resilient to hazard impacts. This is due to the idea that wealth enables communities to absorb and recover from losses using insurance, social safety nets, and entitlement programs. Other factors used in SoVI relate to gender as well as race

and ethnicity being that these factors impose language and cultural barriers and affect access to post-disaster funding. Additional factors used in SoVI are special-needs populations, social dependence (i.e., people who are totally dependent on social services for survival), education, family structure, occupation, and other demographic characteristics that help to define social vulnerability for communities and individuals. The below map was used during the creation of the unmet needs assessment section in the 2021 Winter Storms Action Plan and does not apply to the FFPM program scoring.



3.2.4.4 Racially/Ethnically Concentrated Areas of Poverty (R/ECAPs)

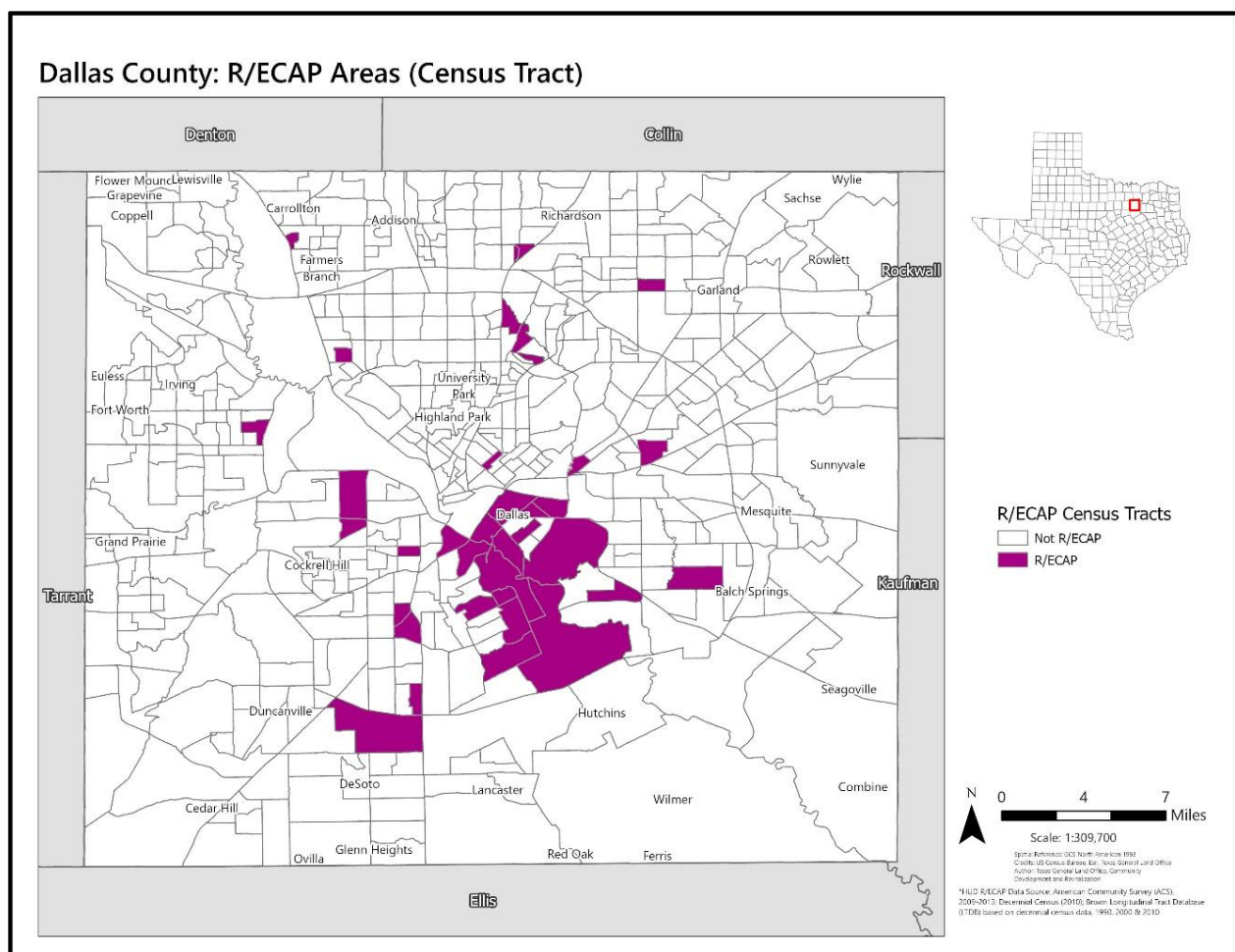
As defined by HUD, Racially/Ethnically Concentrated Areas of Poverty (R/ECAPs) are census tracts where:

- (1) the non-white population comprises 50 percent or more of the total population, and
- (2) the percentage of individuals living in households with incomes below the poverty rate is either:
 - (a) 40 percent or above or
 - (b) three times the average poverty rate for the metropolitan area, whichever is lower.

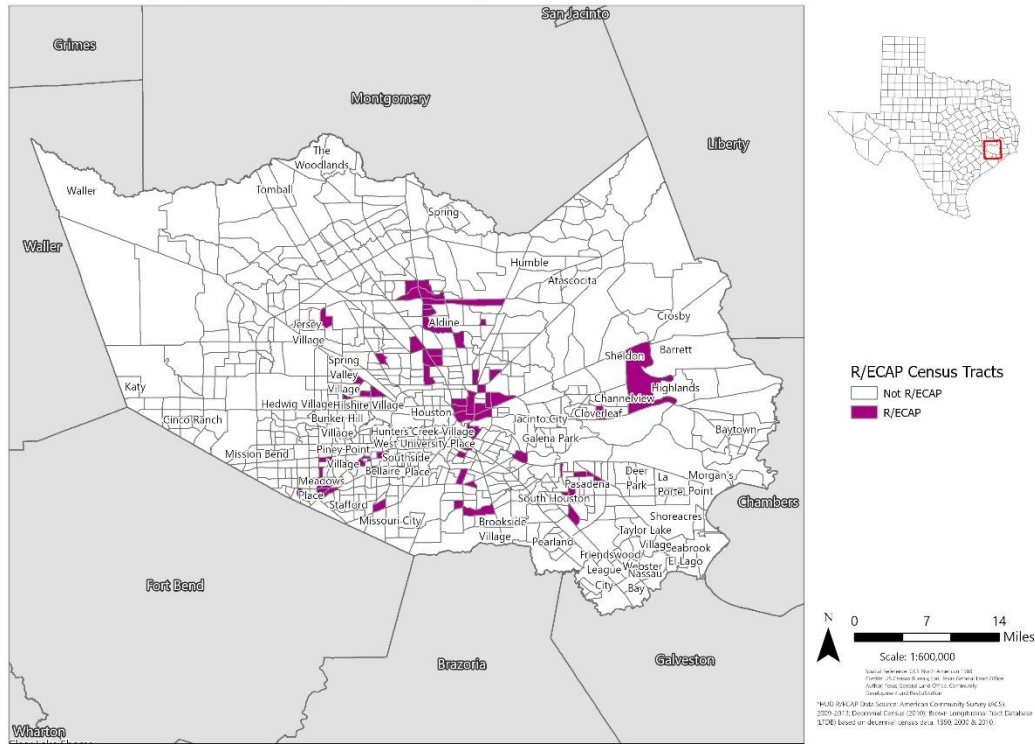
These are areas which have both a high concentration of racial/ethnic minorities and extreme levels of poverty.

There are 376 R/ECAP census tracts in Texas (2013 ACS 5-Year Estimate). Within the three HUD MID counties there are 128 R/ECAP census tracts, accounting for 34.04 percent of Texas's R/ECAP census tracts. Harris County has 66 R/ECAP census tracts, Dallas County has 36 R/ECAP census tracts, and Tarrant County has 26 R/ECAP census tracts.

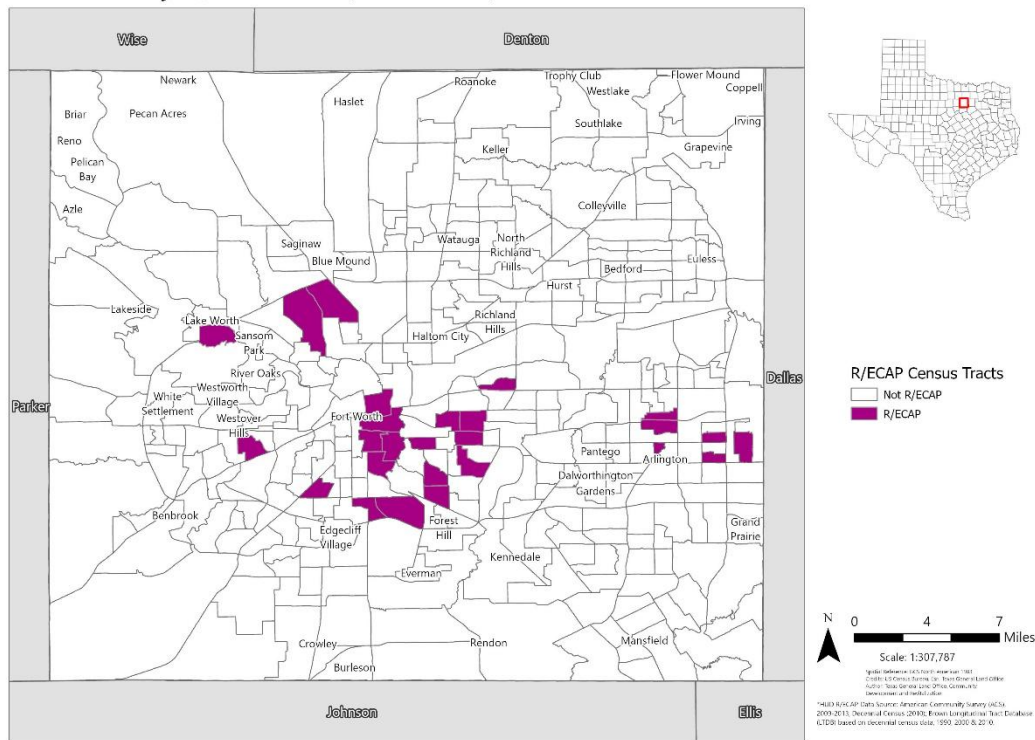
The below maps provide an assessment of R/ECAPs within the three HUD MID counties and the Secondary MID counties. As demonstrated in this action plan's Proposed Use of Funds section, the GLO's planned use of CDBG-DR funds will not have an unjustified discriminatory effect on or failure to benefit racial and ethnic minorities in proportion to their communities' needs and historically underserved communities, particularly in racially and ethnically concentrated areas of poverty, to the best of the GLO's ability.



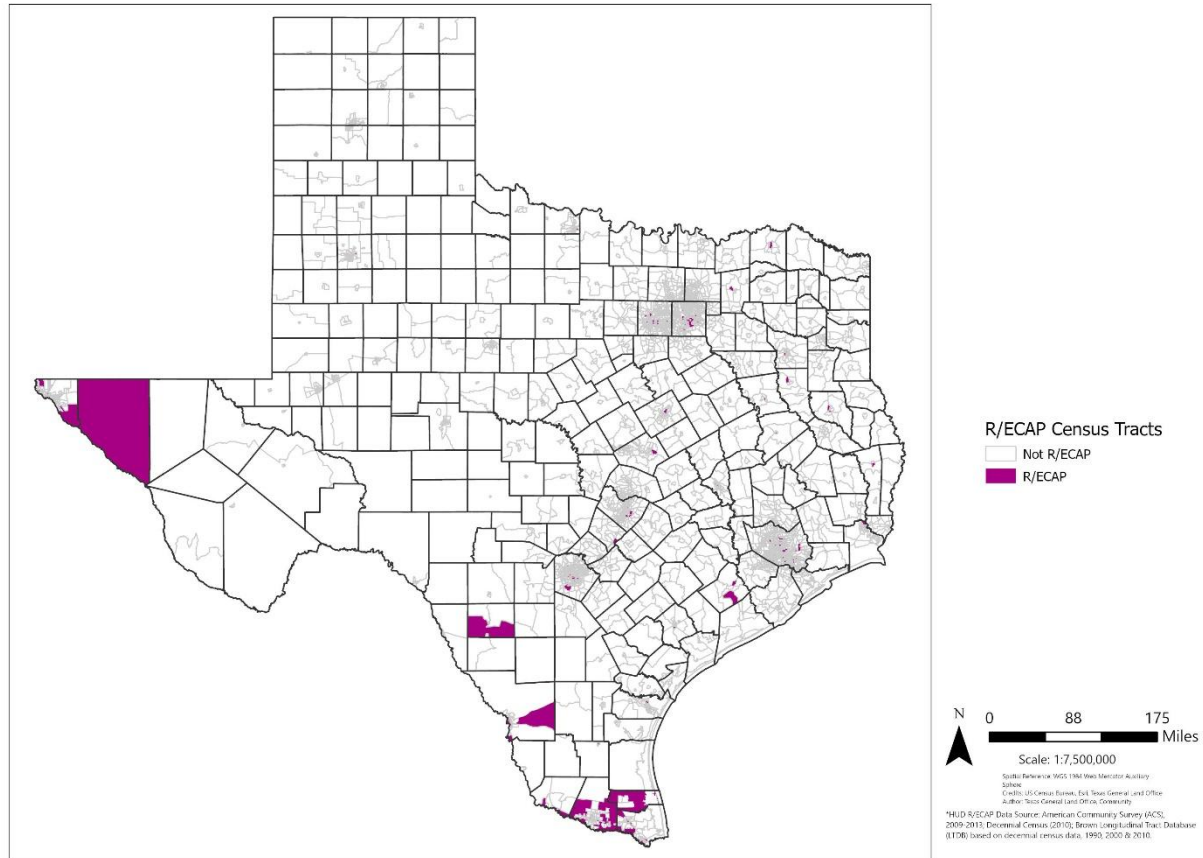
Harris County: R/ECAP Areas (Census Tract)



Tarrant County: R/ECAP Areas (Census Tract)



State of Texas: R/ECAP Areas (Census Tract)



Through compliance with the Americans with Disabilities Act (ADA) for infrastructure and affordable multifamily rental activities, the GLO will ensure that persons with disabilities will maintain access to resources and assets.

According to the American Communities Survey 2020 (ACS) data, the total population with a disability for the HUD MID areas is 899,200 individuals, which represent 27.74 percent of Texas's entire population with a disability. The total population 65 years of age and older for the HUD MID areas is 1,007,927 individuals, which represents 28.05 percent of Texas's entire population 65 years of age and older.

The GLO is responsible for ensuring that all citizens have equal access to information about the programs, including persons with disabilities and limited English proficient (LEP) populations. The GLO will ensure that program information is available in the appropriate languages for the geographic areas to be served and will take appropriate steps to ensure effective communications with persons with disabilities pursuant to 24 CFR 8.6 and other fair housing and civil rights requirements, e.g., the effective communication requirements under the Americans with Disabilities Act. The GLO has evaluated the needs of persons with LEP and consulted HUD's Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons published in the

Federal Register, 72 FR 2732 (January 22, 2007). Through this effort, the GLO has conducted a four-factor analysis of its 2021 Winter Storms impacted communities and determined that the provided languages will be Spanish, Vietnamese, and Chinese. However, in the instance of there being a need for additional language services, the GLO has an easily accessible contact website where there is access to interpretation services for 19 languages, alongside Braille and American Sign Language interpretation.

The below preset tables, which are required by HUD, provide insight and data on the impacted communities across the state with regard to limited English proficiency, income, and other housing and demographics information.

Grantee Demographics and Disaster Impacted Populations						
Demographic	Area-Wide Estimates	Area-Wide Percent	Disaster Declaration Estimate	Disaster Declaration Percent	MID Estimates	MID Percent
Total Population	28,862,581	100.00%	28,862,581	100.00%	9,394,632	100.00%
Under 5 years	1,959,223	6.79%	1,959,223	6.79%	671,031	7.14%
65 years and over	3,620,798	12.54%	3,620,798	12.54%	1,017,976	10.84%
Population with a Disability	3,247,014	11.25%	3,247,014	11.25%	908,520	9.67%
White or Caucasian	11,745,032	40.69%	11,745,032	40.69%	2,992,439	31.85%
Black or African American	3,401,742	11.79%	3,401,742	11.79%	1,793,877	19.09%
American Indian and Alaska Native	55,658	0.19%	55,658	0.19%	15,835	0.17%
Asian	1,433,683	4.97%	1,433,683	4.97%	615,130	6.55%
Native Hawaiian and Other Pacific Islander	21,282	0.07%	21,282	0.07%	6,927	0.07%
Other	72,621	0.25%	72,621	0.25%	29,374	0.31%
Data Source(s): 2020 ACS 5-Year Estimates DP02, 2020 ACS 5-Year Estimates DP05						

Income Demographics			
Income/Economic Demographics	Statewide	Areas Impacted by Disaster	HUD MIDs
Median Household Income	\$66,963	\$66,963	\$67,754
Per Capita Income	\$34,717	\$34,717	\$35,439
Data Source(s): 2020 ACS 5-Year Estimates DP03			

Income Demographics - Low Income			
Income/Economic Demographics	Statewide	Areas Impacted by Disaster	HUD MIDs
Income in the past 12 months below poverty level	14.25%	14.25%	14.27%
Data Source(s): 2020 ACS 5-Year Estimates DP03			

LMI Analysis - Overall			
Category	Total LMI Persons	Total Population	Percent LMI
Area wide	11,356,933	25,943,799	43.78%
Data Source(s): FY 2021 LMISD			

LMI Analysis-Federally Declared Disaster Areas						
County/Municipality	Non-MID-Total LMI Persons	Non-MID-Total Population	Non-MID-Percentage LMI	MID-Total LMI Persons	MID-Total Population	MID-Percentage LMI
Dallas County	0	0	0%	1,327,980	2,454,395	54.11%
Harris County	0	0	0%	2,067,960	4,316,070	47.91%
Tarrant County	0	0	0%	807,690	1,891,375	42.70%
Rest of Texas	11,356,933	25,943,799	43.78%	0	0	0.00%
Total	11,356,933	25,943,799	43.78%	4,203,630	8,661,840	48.53%
Data Source(s): FY 2021 LMISD						

Manufactured Housing Units Impacted by Disaster			
County/Municipality	Number of Units	% of Total Units in County/Municipality	Remaining Unmet Need
Dallas County	455	0.05%	\$130,366
Harris County	2,830	0.16%	\$505,972
Tarrant County	526	0.07%	\$82,704
Rest of Texas	22,762	0.31%	\$4,410,260
Total	26,573	0.59%	\$5,129,302
Data Source(s): FEMA Individual Assistance Data, 2021 ACS 5-Year Estimates DP04			

Limited English Proficiency Breakdown of Disaster-Related Areas		
County/Municipality	Estimate Speak English Less than 'Very Well'	Percent Speak English Less than 'Very Well'
Dallas County	446,511	18.50%
Harris County	854,637	19.40%
Tarrant County	232,039	11.70%
Rest of Texas	1,500,357	5.78%
Total	3,033,544	10.51%
Data Source(s): 2021 ACS 5-Year Estimates S1601		

Point-in-Time Count - Type of Shelter				
Geography	Emergency Shelter	Transitional Housing	Unsheltered Homeless	Total Known Homeless
Area Wide	10,727	3,290	13,212	24,432
FEMA Declared	10,727	3,290	13,212	24,432
MID	4,644	1,098	3,353	9,199
Data Source(s): FY2022 CoC Dashboard Reports, HUD Exchange				

Assisted Housing Impacted by the Disaster							
County/Municipality	Total Housing Choice Vouchers	Total Impacted Housing Choice Voucher Units	Total LIHTC Units	Total Impacted LIHTC units	Total Public Housing Dwelling Units	Total Impacted Public Housing Dwelling Units	Remaining Unmet Need
Dallas County	20,171	N/A	38,051	531	3,972	N/A	N/A
Harris County	21,247	N/A	57,806	776	3,841	N/A	N/A
Tarrant County	12,238	N/A	28,742	546	723	N/A	N/A
Rest of Texas	91,009	N/A	119,863	N/A	36,869	N/A	N/A
Total	144,665	N/A	244,462	1,853	45,405	N/A	N/A

Data Source(s): HUD Office of Policy Development and Research Geospatial Data Storefront

3.3 Infrastructure Unmet Need

3.3.1 Disaster Damage and Impacts – Infrastructure

The 2021 Winter Storms devastated infrastructure in Texas due to the lack of weatherization for extreme cold of infrastructure, critical facilities, and utilities. Because sustained low temperatures and significant volumes of snow and ice are not common in most of the state outside West Texas and the Panhandle, many roads, water facilities, the electrical grid and other critical infrastructure were not weatherized to withstand the storm conditions. These conditions pre-disaster heightened the impact of the 2021 Winter Storms on the state.

The extreme temperatures caused approximately 69 percent of Texans to lose power at some point during the disaster, per a report done by the University of Houston Hobby School of Public Affairs. The Texas Commission on Environmental Quality (TCEQ) reported that 590 of Texas's public water systems in 141 counties experienced disruptions related to frozen and broken water lines, lack of electricity, and low water pressure from dripping faucets. As a result, boil water notices were issued affecting 12 million individuals across the state.

After-action reports done by municipalities such as City of San Antonio, City of Denton, and a joint report by City of Austin and Travis County showed that these outages had an immediate impact on the emergency response facilities tasked with responding to the disaster. Critical facilities including hospitals and fire stations experienced loss of power and water. In smaller jurisdictions, many water treatment systems lost power and did not have emergency generators to continue operations. These shortages coincided with a significant increase in emergency response calls, especially for fire departments. The North Texas American Red Cross reported that in February 2021, it responded to more than double the number of fires that it responded to in February 2020, as people resorted to warming themselves indoors with unsafe methods like gas grills and generators. The freeze also caused hospitals to scramble for resources.

The GLO distributed a survey to over 6,500 individuals from local governments, nongovernmental organizations, and the private sector, among other groups, to assess the damage communities suffered and what their recovery priorities are. The results largely confirm the findings from the studies done by University of Houston and TCEQ. Over 70 percent of respondents reported that their community suffered disruptions to both water and electrical utility services. Emergency response was also listed as one of the most affected categories. Additionally, the results showed that communities' top two priorities for recovery were repair of water and electrical infrastructure and repair of damage to emergency response facilities.

Recognizing the state's long and well-documented history of winter storms, flooding, hurricanes, wildfires, and droughts, as well as the state's ongoing efforts to mitigate future disaster impacts in its most vulnerable areas, the GLO continues its commitment to prioritizing resiliency during rebuilding. The commitment to resiliency now includes the ability to respond to and recover from severe winter weather. In assessing unmet needs, it is important to consider the additional costs of safeguarding affordable multifamily housing and community infrastructure investments from future disasters. The GLO will not only assess projects and consider programs that replace or repair lost property but will also seek to invest resources in mitigation efforts that strengthen the resiliency of communities against future disasters. Although this can increase costs initially, incorporating mitigation strategies in recovery efforts can greatly reduce the cost of future damages by an estimated ratio of 6:1 or greater, as reported by the National Institute of Building Sciences.

The GLO will encourage subrecipients to integrate mitigation measures into rebuilding activities to further realize objectives outlined in regionally or locally established plans and policies that are designed to reduce future risk to the jurisdiction(s) from winter storms. Informed by ongoing and previously conducted Hazard Mitigation Grant Program (HMGP) plans, the GLO's goal is to ensure better coordination of projects between localities to address recovery and mitigation more holistically.

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

For subrecipient implemented projects, per the GLO's Implementation Manual, the GLO will rely on professional engineers procured by subrecipients, as well as by subrecipients using resources in house, to employ adaptable and reliable technologies to guard against premature obsolescence of infrastructure. The GLO will encourage subrecipients to consider the costs and benefits of the project when selecting CDBG-DR eligible projects. Construction of a new building and facilities must be in compliance with the Texas Accessibility Standards (TAS) of the Architectural Barriers Act, Chapter 469, Texas Government Code, and the Texas Department of Licensing and Regulation (TDLR) Architectural Barriers Administrative Rules, 16 Texas Administrative Code, Part 4, Chapter 68. If estimated construction costs exceed fifty thousand dollars (\$50,000.00), construction documents must be submitted to the Texas Department of Licensing and Regulation (TDLR) for an accessibility plan review. All subrecipients must ensure their project activities are in compliance with all provisions of the Americans with Disabilities Act of 1990 (ADA).

Infrastructure activities funded under the urgent need national objective must be justified by the subrecipient. An alternative urgent need national objective is in effect for a period of 36 months following the applicability date of the Allocation Announcement Notice of May 31, 2022 for 87 FR 31636 (May 24, 2022) and January 23, 2023 for 88 FR 3198 (January 18, 2023). After 36 months, the state will be required to follow the criteria established in section 104(b)(3) of the HCDA and its implementing regulations in 24 CFR part 570 when using the urgent need national objective for any new programs and/or added to a action plan. As stated earlier, subrecipients who

submit applications that aim to meet the urgent need national objective will provide documentation of the justification of the project, which will be vetted by the GLO.

The FEMA Public Assistance (PA) program provides funds to assist qualifying communities responding to and recovering from declared disasters or emergencies. Infrastructure and emergency-related damages associated with the 2021 Winter Storms resulted in all of Texas's 254 counties receiving a major disaster declaration for FEMA PA. The total amount of FEMA PA distributed was \$398,278,032, over double the amount of FEMA Individual Assistance (IA) distributed. The three HUD MID counties combined to receive 12.82 percent of all FEMA PA distributed within Texas.

Total Cost and Need by PA Category				
PA Category	Estimated PA Cost	Local Match	Resiliency	Total Need (Match + Resiliency)
A - Debris	\$8,722,444	\$872,244	\$1,308,367	\$2,180,611
B - Emergency Measures	\$90,767,623	\$9,076,762	\$13,615,143	\$22,691,906
C - Roads and Bridges	\$123,983,944	\$12,398,394	\$18,597,592	\$30,995,986
D - Water Control Facilities	\$783,578	\$78,358	\$117,537	\$195,895
E - Building and Equipment	\$67,778,189	\$6,777,819	\$10,166,728	\$16,944,547
F - Utilities	\$102,290,437	\$10,229,044	\$15,343,566	\$25,572,609
G - Other	\$3,951,817	\$395,182	\$592,773	\$987,954
Total	\$398,278,032	\$39,827,803	\$59,741,706	\$99,569,508

Data Source(s): Texas Division of Emergency Management (TDEM)

Hazard Mitigation Needs per County or Known Project (as applicable)			
Project	Cost	Funding Source	Unmet Need
Statewide	\$1,849,964,866	FEMA	\$462,491,216

Data Source(s): FEMA Hazard Mitigation Assistance Projects

3.4 Economic Revitalization Unmet Need

3.4.1 Disaster Damage and Impacts – Economic Revitalization

In January 2021, the Texas economy continued to recover from the impacts of the COVID-19 pandemic actions impacting the nation. According to the Texas A&M University Texas Real Estate Research Center's January 2021 Economic Report, nonfarm employment rose by 30,800 positions, making January the ninth consecutive month of growth. Real commodity exports also increased by 5.2 percent in the same January 2021. In February 2021, nonfarm employment in the state fell by 27,500 jobs, with approximately 19,500 of those coming from the HUD MID areas.

The Federal Reserve Bank of Dallas estimates the 2021 Winter Storms related economic loss to Texas's economy was between \$80 billion - \$130 billion. However, a report by the University of Houston suggests the toll of the event on Texas's economy was even larger at \$295 billion. The University of Houston reported that 49 percent of Texans experienced some sort of economic damage as a result.

An analysis by the Texas Department of Insurance (TDI) found that commercial property and business interruption related occurrences totaled 51,806 claims worth \$3,627,800,000. TDI also

reported that commercial and personal automobile insurance totaled 20,065 claims with \$62,200,000 being paid out. As reported by the Texas Comptroller of Public Accounts, supply chain disruptions were a prevalent cause of economic loss. Already impacted by the COVID-19 pandemic, Texas's supply chains experienced further disruption from the 2021 Winter Storms.

The Small Business Administration (SBA) offers Business Physical Disaster Loans (BPDL) and Economic Injury Disaster Loans (EIDL) that cover insured and uninsured business losses. BPDL are available to businesses of all sizes and types after a disaster to replace or repair damaged real estate, inventory, and fixtures. The BPDL amount may be increased by as much as 20 percent of the total amount of physical loss, as verified by SBA, to mitigate the impacts of future natural disasters. EIDL are also available to a variety of businesses for up to \$2 million to meet necessary financial obligations (expenses the business would have paid if the disaster had not occurred).

Similar to SBA home loans, impacted businesses have to: (1) know that they can apply for an SBA business loan in order to apply for assistance; (2) demonstrate collateral; and (3) have acceptable credit to receive a loan. Consequently, SBA verified business loss data alone may underestimate the disaster's impact on all businesses in communities. Under the SBA assistance to businesses, Harris County had the largest SBA verified loss out of the eligible counties. SBA Business data for the CDBG-DR eligible area is shown below:

SBA Business Loans			
County	Total Applicants	Total Verified Loss	Total Approved Loans
Dallas County	517	\$15,755,985	30
Harris County	1,153	\$27,328,561	129
Tarrant County	320	\$8,349,905	27
Rest of Texas	1,887	\$45,848,682	153
Grand Total	3,877	\$97,283,133	339
Data Source(s): Small Business Administration (SBA)			

3.5 Mitigation Only Activities

The GLO will ensure that any mitigation-only activities that are not connected to an otherwise eligible CDBG-DR activity must:

- i. Meet the HUD definition of mitigation as “those activities that increase resilience to disasters and reduce or eliminate the long-term risk of loss of life, injury, damage to and loss of property, and suffering and hardship, by lessening the impact of future disasters”;
- ii. Be CDBG-eligible activities under Title I of the HCDA or otherwise eligible pursuant to a waiver or alternative requirement;
- iii. Address current and future risks related to winter storms; and
- iv. Meet a national objective.

The GLO has conducted a mitigation needs assessment, which is further detailed in the Preparedness, Mitigation, and Resiliency section of the Action Plan. Further, the GLO will require subrecipients to incorporate preparedness and mitigation measures into rebuilding activities. This

helps to ensure that post-recovery communities are safer and stronger than prior to the disaster. Incorporation of these measures also reduces costs in recovering from future disasters. The 2021 Winter Storms (21WS) HUD MID Counties Program allows HUD MID counties the flexibility to address their specific unmet needs resulting from the 2021 Winter Storms while also allowing them the ability to capitalize on the Mitigation Set-aside funds to enhance their disaster recovery projects or establish mitigation only activities which must address current and future risk related to winter storms.

3.5.1 Mitigation Needs Assessment

The GLO conducted a comprehensive Mitigation Needs Assessment (the Assessment) in its CDBG–Mitigation (CDBG-MIT) Action Plan, as amended. The Assessment was compiled using federal and state sources, including information from FEMA, the Texas Division of Emergency Management (TDEM), and other federal, state, and local agencies and data sources. The following sections provide a summary of the Assessment and how it illustrates the risks and impacts Texas communities face from winter weather and extreme cold, as well as the rationale for the mitigation set-aside detailed in the use of funds section of this action plan.

3.5.1.1 Hazard and Risk Assessment

As part of the State of Texas CDBG–Mitigation (CDBG-MIT) Action Plan, as amended, the GLO identified and analyzed all significant current and future disaster risk and impacts in the October 2018 State of Texas Hazard Mitigation Plan (SHMP) and provided a substantive basis for the activities described in the Action Plan. The new Texas SHMP was being developed during the drafting of this action plan. The information provided here summarizes the state risk and hazards assessment findings from the state’s CDBG-MIT chapter on risks and hazards. The SHMP is a FEMA-approved plan authored and maintained by TDEM; it was the starting point for the State of Texas’s Risks and Hazards Assessment (the RHA) chapter in the CDBG-MIT Action Plan. Additionally, there are a variety of other data sources identifying the hazards, risks, and impacts discussed throughout the RHA chapter in the state’s CDBG-MIT Action Plan. The RHA chapter evaluates the potential significant impacts and risks of the identified hazards that affect the following eight critical service areas (also known as FEMA’s Community Lifelines):

- Safety and Security;
- Food, Hydration, Shelter;
- Health and Medical;
- Energy (Power and Fuel);
- Communications;
- Transportation;
- Hazardous Materials; and
- Water Systems (added as a Community Lifeline on August 1, 2023).

FEMA cites a total of eight community lifelines that enable the continuous operation of government and critical business during a disaster as seen above. Together these lifelines provide a framework for communities to prioritize and review critical services during a disaster. According

to FEMA, community lifelines are designed to highlight priority response areas, enhance community-wide situational awareness, and strengthen coordination efforts among responders during a disaster.

FEMA's community lifelines provide a framework for the RHA chapter to discuss risks and impacts of the winter storms. By describing lessons learned from past disasters in Texas through the frame of community lifelines, the RHA chapter aims to ensure that funds go towards programs and activities that reduce the risk of loss of life, injury, and property damage, as well as accelerate recovery following a disaster.

Each lifeline is comprised of multiple components that can change based on a particular situation and hazard; these variable components reflect how each hazard uniquely affects the community. For instance, flooding and hurricanes strike quickly and need a variety of different types of first responders in a short amount of time, whereas a hazard like coastal erosion has the potential to occur over a long period of time and therefore the prioritization of first responders is not warranted.

FEMA requires states, tribes, and local governments to adopt and update their hazard mitigation plans every five years as a condition for receiving certain types of federal funding—including mitigation funding. The current October 2018 SHMP, authored and regularly updated by TDEM, is the latest iteration to meet this requirement. The SHMP details 16 natural hazards that impact Texas:

- Severe Coastal Flooding;
- Hurricanes, Tropical Storms, and Depressions;
- Drought;
- Hailstorms;
- Riverine Flooding;
- Tornadoes;
- Wildfire;
- Severe Winds;
- Winter Weather;
- Lightning;
- Extreme Cold;
- Extreme Heat;
- Coastal Erosion;
- Inland Erosion;
- Land Subsidence; and
- Earthquakes.

Based on the impacts of the storm and needs regarding response, long term recovery, and mitigation needs, the below highlights severe winter weather and extreme cold due to the unprecedented nature of the 2021 Winter Storms that impacted Texas.

3.5.1.2 State Winter Weather and Extreme Cold Risk Assessment

The 2018 SHMP discusses the impacts of severe winter weather including downed trees, widespread power outages, damaged property, and injury and death. The effect of severe winter storms on Texas is quite disruptive compared to other regions that normally experience severe winter weather. In Texas, heavy snowfall for the state is an accumulation of four or more inches of snow in a 12-hour period. This amount of snow accumulation usually occurs in the northern half of the state and in the higher elevations of West Texas. Winter weather events from Del Rio to Port Arthur are relatively rare. The most severe snow event, blizzards, is most likely to occur in the Texas Panhandle and South Plains Regions.

The SHMP notes that an ice storm occurs when rain falls out of the warm upper layers of the atmosphere into a cold and dry layer near the ground. The rain freezes on contact with the cold ground and accumulates on exposed surfaces. Because damage can occur with half an inch of rain freezing on trees and utility wires, an icing event is categorized as an ice storm at half an inch.; the damage increases if there are high winds.

The size of Texas means that certain portions of the state are more vulnerable than others to severe winter weather. The SHMP points to the Texas Panhandle and North Central Texas region around Dallas and Texarkana as most vulnerable to severe winter storms. At the same time, these areas are better prepared for severe winter weather. The southern portions of the state are not as likely to incur severe winter weather, but when it does happen, the impacts are much stronger because the communities and governments are not as prepared.

3.5.2 FEMA's Community Lifelines for Winter Weather

- **Safety and Security** – The SHMP notes that while North Texas and the Panhandle are more likely than the rest of the state to see winter weather, when winter weather does impact southern Texas, communities are generally not as prepared as other communities in Texas. While the Texas Department of Transportation and local road crews do pretreat roads right before winter weather events, community officials often urge community members to simply stay off roads until it becomes warm enough for roads to clear of ice or snow. At the same time, community members may not follow local officials' directions and try to drive on icy roads leading to an increase in accidents due to residents unaccustomed to driving on snowy or icy roads or not seeing black ice on roadways. If community members do stay at home, they may not be prepared for the cold conditions, or are concerned about high electric bills, leaving their heat off. Further, furnaces may break, or power outages may occur. Increased use of furnaces, fireplaces, and portable heaters increase the possibility of house fires or other infrastructure fires as well. All of these factors increase the likelihood that first responders need to travel during hazardous road conditions in order to address accidents, or residents needing assistance at home. In addition to first responders traveling on unsafe roads, winter weather may close government buildings and schools; these closures may delay public services.

- **Communications** – Winter weather can damage or destroy powerlines throughout impacted areas, because of ice accumulating on powerlines or trees falling over from the weight of ice accumulation on powerlines. Damaged or destroyed powerlines have the potential to lead to power outages throughout a particular area during winter weather events. Power outages can lead to community members not having access to internet or telephone, preventing community members from calling or reaching out for help. Lack of power also creates the potential for community members to lose heat, increasing the need for assistance. Freezing to below freezing temperatures, ice, and snow may also lead to significant economic impacts. Along with government buildings and services and schools closing, road conditions increase the potential for businesses throughout the potential area to close as well for employees to not reach their place of work. The agriculture industry is particularly prone to the often-brief winter weather events in Texas; a week of lower-than-average temperatures can destroy crops and injure or kill livestock.
- **Food, Hydration, Shelter** – Sheltering and warming centers are an essential need during winter weather due to the potential for freezing to below freezing temperatures and power outages. However, the icy road conditions can make traveling to shelters difficult, creating a potential for community members to be uncertain whether they should stay in place or head to shelter. Sudden power outages, particularly at night, may compound the confusion with community members thinking that they can stay in place, suddenly needing to find a shelter and traveling on hazardous roadways. Homeless individuals are particularly vulnerable to cold weather, with individuals not knowing where temporary warming centers are located, or they may think that they can survive for one to two nights in the extreme cold.
- **Transportation** – Roadways, especially bridges, are susceptible to icing during winter weather events. Winter weather, particularly ice and snow, can create unpredictable and hazardous driving conditions, impacting personal and commercial vehicles. Aerial travel can also be impacted during winter weather events as visibility becomes limited and the icing of planes, other aircraft and runways make aerial flight more dangerous. Railroad track switches may also freeze as winter weather can disrupt the distribution of numerous goods and commercial material throughout Texas.
- **Health and Medical** – The occurrence of winter weather can present barriers to accessing health care and to medical providers delivering care or reaching patients who require help and assistance. Physical access to health care and medical providers is the main concern, as frozen precipitation can make roadways unsafe and potentially deadly to travel on for personal vehicle travel, public transit, and medical transport vehicles. Rescue missions may also be impacted by low-visibility and the potential of freezing mechanical equipment. As ice or snow accumulates on power lines, hospitals and other medical provider facilities can face power outages or blackout situations, putting the lives of patients in life-threatening danger. In the event of significant snowfall or ice accumulation, hospitals may also need to house staff members who are unable to leave the location.
- **Hazardous Material (Management)** – Winter weather, and the association of freezing temperatures, can cause disruption, malfunction, and other consequences to refinery processes, infrastructure, and other facilities that may be required in handling potentially

hazardous material and or waste. The transporting of hazardous material can also be put at risk, as winter weather can make roadways treacherous, which can lead to spills and other accidents. Hazmat response teams can also be hindered, as roadway access is needed for their arrival. Snow, ice, and sleet can also make trains more susceptible to derailments and cause hazardous material spills, depending on what the train is transporting. While the presence of snow can limit the spread of leaked material, as the snow may initially act as a barrier, continued snow fall can also cover up spills and other waste leaks which can limit the ability of response crews to find further spills.

- **Energy (Power & Fuel)** – Widespread power outages can result from snowfall and ice accumulation. Depending on the amount of snow or ice, transmission lines can be weighed down to a point where they collapse and are left in a state of needed repair. Further, snow, ice, and other winter weather accumulation can weigh down tree branches, causing them to snap and fall on top of above ground energy infrastructure which can leave people without electricity for an extended period of time. Winter weather can also limit the physical access people have in order to reach gas and other fueling stations. The same can be said for the transportation and delivery of fuel to gas stations as roads can become impassable and unsafe to drive on. When winter weather affects roadways, oil refineries and other fuel production sectors, there may be reduction in the demand for their products, as vehicle use falls if roads cannot be used or accessed in a safe manner. Winter weather accumulation, due to the potential of power outages, can affect homes, businesses, and schools.

The SHMP predicts that the number of days with maximum temperatures above freezing (32°F) throughout Texas will decrease over time and lead to a reduction in annual cold weather events every year. However, Extreme Cold can occur throughout Texas as with the 2021 Winter Storms. While extreme cold can happen anywhere in Texas, the Panhandle and other northern portions of the state experience the majority of extreme cold temperatures. In the Panhandle, extreme cold means days below 0°F, while in the Rio Grande Valley it means reaching temperatures below freezing.

The SHMP notes that when dealing with extreme cold, the wind-chill effect is important to consider. The wind chill temperature is a measurement of how cold the wind makes the air feel to the human body. Since wind can dramatically accelerate heat loss from the body, a 30°F Day could feel just as cold as a calm day with 0°F temperatures.

- **Water Systems** – Ice accumulation and freezing rain can indirectly cause widespread disruption to water systems in Texas through power outages that can be devastating. Many municipalities lack backup power generators to power their water pumps, treatment facilities, or wastewater treatment facilities, rendering them inoperable. Water systems that are able to afford expensive backup generators are prone to failure as well, due to lack of maintenance. Without operable pumps to refill water towers, and, with many residents dripping faucets to avoid pipes bursting, water pressure quickly drops to ineffective levels. This forces residents, businesses, and public facilities alike to obtain potable water from bottled water, boiled snow, or other unreliable means.

3.5.3 FEMA's Community Lifelines for Extreme Cold

- **Safety and Security** – Similar to winter weather, inexperience with extreme cold has the potential for Texans to be unprepared for the cold and its associated risks. Community members may not have additional clothing or household items such as heavier coats, boots, or blankets. Additionally, community members may not understand how to prepare for extreme cold such as leaving faucets dripping, properly maintaining space heaters, or bringing pets inside. Extreme cold events are often short lived in Texas as well; this has the potential to exacerbate risks, as community members may not want to invest in heavier coats or boots because they may think that the extreme cold will quickly dissipate. Some community members cannot afford to purchase heavier coats, boots, or other extreme cold essentials. These assumptions and lack of understanding of how to prepare creates the potential for an increase in accidents and injuries, necessitating first responders to go out into extreme cold and potential icy roads to respond to these events. Cold weather may also increase the likelihood of equipment malfunctions, such as fire hydrants frozen shut or frozen ladders and hoses; these malfunctions may all create the potential for further injury or accidents to community members or first responders.
- **Communications** – Similar to extreme winter weather events, extreme cold may lead to power outages or brownouts due to the constant need for heat. Power outages impair residents' ability to call for help if they are in danger. Also, first responders may be overwhelmed with calls that the electricity has gone out—having less capacity to address life threatening accidents or issues in the community. Since extreme cold is associated with extreme winter weather, there is the potential for icy road conditions or debris such as fallen tree limbs in the roadway. This may hinder first responders from getting to community members in a timely fashion or may prevent them from reaching a community member.
- **Food, Hydration, Shelter** – Sheltering or warming centers are an essential need during winter weather and extreme cold due to the potential for freezing temperatures and consequential power outages. Sudden power outages, particularly at night, may compound the confusion among community members thinking that they can stay in place, and suddenly realizing the need to find a shelter. Homeless individuals are particularly vulnerable to cold weather; however, homeless individuals may not know where temporary warming centers are located, or they may think that they can survive for one to two nights in the extreme cold.
- **Transportation** – There are a variety of transportation-related impacts that can be attributed to extremely cold temperatures. Extreme cold temperatures can present challenges which impact transportation operational systems, safety of transportation network users, airport closures and delays, equipment malfunctions, the potential for frozen fuel lines, and impacts to logistical schedules. Diesel and gasoline-powered engines may have to work harder and lead to more strain on the vehicles they are powering, as vehicle batteries can also become stressed. The fuel being used in vehicles can, if temperatures fall low enough, become a gel-like substance that can inhibit personal and commercial travel on roadways and rail lines. Extremely cold temperatures can also stress metal bridges and other hardened infrastructure on the transportation network.

- **Health and Medical** – Extremely cold temperatures can pose a number of public health problems. Frostbite, hypothermia, heart problems, and other issues are common occurrences throughout times of low temperatures. During cold spells, people also spend more time indoors and within close contact of other individuals, helping to spread illnesses such as colds, the flu, and respiratory illness. The use of generators, or other gasoline-powered tools, to supplement the heating of a home, business, or other structure needs to be closely monitored and ventilated properly during use as these machines produce carbon monoxide. Carbon monoxide deteriorates the capability of a person's blood to deliver oxygen to body tissues and organs; it cannot be smelled or seen, so people often do not know that they are breathing in the gas, and fatal poisoning can happen within minutes.
- **Hazardous Material (Management)** – During extreme cold events, the storage of chemicals and other hazardous material is sometimes an overlooked process. Within their storage containers, chemicals expand when they drop below their freezing point, which increases the probability that their container will rupture. If a container ruptures and leaks material, severe safety issues arise, and the spill must be cleaned up correctly and quickly. Damage to the actual substance being held can also occur, as extreme cold can make chemicals more difficult to use. Proper storage of hazardous chemicals, especially during extreme cold events, can prevent individuals, the environment, and other functions from exposure to corrosive and other harmful contaminants.
- **Energy (Power & Fuel)** – When temperatures reach extremely cold levels, the electric grid strains to keep up with the energy demands that are placed upon it. This strain is pushed further when aging electric infrastructure is being utilized. Severe cold temperatures can interfere with how certain mechanisms are able to operate, such as hydraulic lines, electromechanically support equipment, and sensors. Severe cold temperatures can disrupt oil refineries and other energy production operations throughout Texas as well. These locations, in Texas, are not as well equipped to handle cold snaps when compared to those located in colder parts of the country.
- **Water Systems** – Water systems in Texas are exceptionally susceptible to damage during extreme cold events. Most homes in Texas are not prepared to deal with prolonged extreme cold and lack features such as well-insulated walls, double-paned windows, or, most importantly, interior/insulated piping. When temperatures drop and blackouts occur, residential water pipes can freeze and burst. The same is true of municipal water lines, which have burst or failed during previous winter storms. These water main losses are much more disruptive, as they can spew millions of gallons of water, leading to widespread water outages and slippery roads. Extreme cold can also have disruptive effects on city water pumps, treatment facilities, and wastewater treatment facilities which, similar to severe winter weather's effects, can cause widespread loss of water in municipalities.

The Assessment articulates Texas's susceptibility to a wide range of impacts from extreme cold and winter weather. Each of FEMA's community lifelines are impacted by these hazards. The expansive size of the state and varying degrees of preparedness across regions requires flexible programs to meet local mitigation needs. The Action Plan responds to the identified mitigation needs by funding a variety of activities. The 21WS HUD MID Counties Program enables counties

to leverage their mitigation set – aside allocation at their discretion to address their local mitigation needs in conjunction with a project tied to the 2021 Winter Storms or as a standalone mitigation project. The HUD MID counties are thus able to address any of the community lifeline risks elaborated above. The 21WS Fire Facilities and Protective Measures (FFPM) Program addresses safety, security, energy community lifelines by ensuring fire facilities are running and their first responders are equipped to safely assist victims during winter weather conditions. Overall, this Action Plan meets the state’s mitigation needs by providing communities with the opportunity to weatherize critical infrastructure and facilities required to maintain FEMA’s community lifelines functional during future winter storm and extreme cold events.

4. General Requirements

4.1 Citizen Participation

The primary goal of this plan is to provide Texans with definitive opportunities to involve themselves in the recovery process as it pertains to CDBG-DR funds.

The Citizen Participation Plan for the 2021 Winter Storm allocation was developed based on the requirements outlined in HUD's Federal Register notice, 87 FR 31636 (May 24, 2022). The GLO's Citizen Participation Plan for the 2021 Winter Storms is on the GLO website.

4.1.1 Outreach and Engagement

In the development of this disaster recovery action plan, the GLO consulted with disaster-affected citizens, stakeholders, local governments, public housing authorities, and other affected parties in the surrounding geographic area to ensure consistency of disaster impacts identified in the plan, and that the plan and planning process was comprehensive and inclusive.

The GLO recognizes that affected stakeholders are the center of, and partners in, the development and implementation of this plan. Opportunities for citizen input were provided throughout the planning process through meetings and a statewide unmet needs survey.

The GLO conducted a statewide 2021 Winter Storms unmet needs survey. The unmet needs survey was distributed to over 6,500 individuals in local governments, Federally recognized Indian tribes, the Federal government, nongovernmental organizations, the private sector, and to other stakeholders and affected parties in the surrounding geographic area, including organizations that advocate on behalf of members of protected classes, vulnerable populations, and underserved communities impacted by the disaster. The survey was also posted on the GLO website.

DATE	MEETING	PARTIES REPRESENTED/PURPOSE
6/9/2022	Harris County	Harris County Housing & Community Development
7/12/2022	Dallas County	Homeland Security and Emergency Management, County Judge Office, Budget Office, County Auditor
7/12/2022	Tarrant County	County Judge and Emergency Management
9/22/2022	Tarrant County	Community Development and Housing Department
10/3/2022	Harris County	Harris County Housing & Community Development
3/8/2023	Tarrant County	County Administrator Office

In addition to the activities above, the GLO has published this action plan on the GLO website for a 30-day public comment period. Citizens were notified through press releases, social media postings, and email notifications. Comments were able to be submitted via mail, fax, and email. Translated versions of the notification of the publication of the Action Plan will be posted on the website. The GLO will ensure that all citizens have equal access to information, including persons with disabilities (vision and hearing impaired) and limited English proficiency (LEP) persons.

A summary of citizen comments on this action plan, along with the GLO responses, is in Appendix C of this document. For more information, citizens can refer to the GLO citizen participation plan found on the GLO website.

The Action Plan in its entirety will be translated into Spanish, Vietnamese, and Chinese. These languages were selected based on a four-factor analysis of the entire eligible area of the CDBG-DR funds and a natural break in the numbers of LEP individuals. Recognizing there may be a need for individuals to have access to the document in additional languages, the GLO has contracted with a translation service to provide translations of the Action Plan upon request into a total of 19 languages, alongside braille and American Sign Language. Any public places that work directly in programs available to private individuals will carry signage detailing this service in applicable languages. The GLO website will include similar notations.

4.1.2 Public Hearings

In line with the requirements noted in the Notice for grantees receiving allocations less than \$500 million in CDBG-DR funding, the GLO is required to convene at least one public hearing in HUD-identified MIDs to solicit citizen comments. To comply with this requirement and to maximize citizen participation efforts, the state will hold one virtual public hearing to accommodate the HUD MID areas of Dallas, Harris, and Tarrant Counties. This will ensure reasonable opportunity, geographic balance, and maximum accessibility for citizen comment. The public hearing information is listed below:

Public Hearing #	Date	Method	MID Location
Public Hearing 1	11/16/2023	Virtual	All

The GLO will provide reasonable accommodations for persons attending the virtual public hearing. The public hearing will be conducted in English and requests for language interpreters or other special communication needs should be made at least 48 hours prior to the virtual public hearing. Please call 512-463-5139 or email cdr@recovery.texas.gov for assistance.

The virtual public hearing will be recorded, and presentation materials will also be available online for reference. Translated presentation materials will also be available online for reference.

4.1.3 Complaints

Complaints alleging violation of fair housing laws will be directed to HUD for immediate review. Complaints regarding fraud, waste, or abuse of funds will be forwarded to the HUD OIG Fraud Hotline (phone: 1-800-347-3735 or email: hotline@hudoig.gov). To file a fair housing complaint to the Office of Fair Housing and Equal Opportunity (FHEO) contact the FHEO Region 6 office through phone at 1-800-669-9777 or email complaintsoffice06@hud.gov. The GLO will make detailed Fraud, Waste, and Abuse Policies and Procedures available to HUD on the GLO website to demonstrate adequate procedures are in place to prevent fraud, waste, and abuse.

The GLO responds to complaints and appeals in a timely and professional manner to maintain a quality level of operations. The GLO's appeals processes apply to appeals received from homeowners, contractors, cities, counties, housing authorities, and other entities. The GLO will respond to homeowners by coordinating with the applicable subrecipient and/or housing contractor to resolve issues.

When a complaint or appeal is received, the GLO will respond to the complainant or appellant within 15 business days where practicable.

Contact information and processes for complaints and appeals are accessible on the GLO website.

Formal complaints and appeals shall be submitted online to the GLO website, through telephone call at 1-844-893-8937, or in writing mailed directly to:

ATTN: GLO-CDR
Texas General Land Office
PO Box 12873
Austin, TX 78711-2873

Information about the complainant's rights and how to file a complaint shall be printed on all program applications, guidelines, the GLO public website, and subrecipient websites in all local languages, as appropriate and reasonable. Procedures for appealing a GLO decision on a complaint shall be provided to complainants in writing as part of the complaint response. Complaints communicated outside of these processes, such as social media, will be considered an informal complaint and will not receive responses.

A complaint is a statement concerning an unsatisfactory or unacceptable use of Community Development Block Grant Disaster Recovery allocations. An appeal is a request for a reversal of a decision denying inclusion in a program or project.

The GLO requires subrecipients to adopt similar or equivalent policies and procedures to address any and all complaints arising out of the administration of CDBG-DR programs. Subrecipients must retain records related to any complaint received and the resolution of the complaint.

A record of each complaint or appeal that the GLO receives is kept in an information file. Complaints will be retained for the HUD required three-year period.

4.2 Public Website

The GLO will maintain a public website that provides information accounting for how all grant funds are used, managed, and administered, including links to all disaster recovery action plans, action plan amendments, program policies and procedures, performance reports, citizen participation requirements, activity and program information described in this plan, and details of all contracts and ongoing procurement processes. These documents will be available in a form accessible to persons with disabilities and limited English Proficiency upon request.

These items are made available through the GLO website. Specifically, the GLO will make the following items available: the Action Plan created using DRGR (including all amendments); each QPR (as created using the DRGR system); citizen participation plan; procurement policies and procedures; all executed contracts that will be paid with CDBG-DR funds as defined in 2 CFR 200.22 (including subrecipients' contracts); and a summary including the description and status of services or goods currently being procured by the grantee or the subrecipient (e.g., phase of the procurement, requirements for proposals, etc.). Contracts and procurement actions that do not exceed the micro-purchase threshold, as defined in 2 CFR 200.67, are not required to be posted to a grantee's website.

In addition, the GLO will maintain a comprehensive website regarding all disaster recovery activities assisted with these funds.

The website will be updated in a timely manner to reflect the most up-to date information about the use of funds and any changes in policies and procedures, as necessary. Designated staff will monitor for updates and provide them to the website in a timely manner to reflect the most up-to-date information about the use of these funds and any changes in policies and procedures. At a minimum, updates will be made quarterly.

4.3 Amendments

Over time, recovery needs will change. Thus, the GLO will amend the disaster recovery action plan as often as necessary to best address our long-term recovery needs and goals. This plan describes proposed programs and activities. As programs and activities develop over time, an amendment may not be triggered if the program or activity is consistent with the descriptions provided in this plan.

4.3.1 Substantial Amendment

A change to this action plan is considered to be a substantial amendment if it meets the following criteria:

- A change in program benefit or eligibility criteria;
- The addition or deletion of an activity; or
- The allocation or reallocation of more than \$12 million; or
- A proposed reduction in the overall benefit requirement.

When the GLO pursues the substantial amendment process, the amendment will be posted on the GLO website for a 30-day public comment period. The amendment will be posted in adherence with ADA and LEP requirements. The GLO will review and respond to all public comments received and submit to HUD for approval.

4.3.2 Non-Substantial Amendment

A non-substantial amendment is an amendment to the plan that includes technical corrections, clarifications, and/or budget changes that do not meet the monetary threshold for substantial amendments to the plan and does not require posting for public comment. The GLO will notify HUD five business days before the change is effective.

All amendments will be numbered sequentially and posted to the website into one final, consolidated plan.

4.4 Displacements of Persons and Other Entities

To minimize the displacement of persons and/or entities that may be affected by the activities outlined in this action plan, the GLO will coordinate with other state agencies, local governments, and local nonprofit organizations to minimize displacement. Should any proposed projects cause the displacement of people, the following policy has been adopted to ensure the requirements of Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA), as amended are met.

The GLO will follow its Residential anti-displacement and Relocation Assistance Plan (RARAP), as amended, located on the GLO website.

Displacement policies and procedures apply to both property owners and renters. The GLO will plan for and budget sufficient funds for relocation activities. The GLO will take the following steps and require subrecipients and developers to minimize the direct and indirect displacement of persons from their homes:

- i. Plan construction activities to allow tenants to remain in their units as long as possible, by rehabilitating empty units or buildings first;
- ii. Where feasible, give priority to rehabilitation of housing, as opposed to demolition, to avoid displacement;
- iii. Adopt policies to identify and mitigate displacement resulting from intensive public investment in neighborhoods;
- iv. Adopt tax assessment policies, such as deferred tax payment plans, to reduce impact of increasing property tax assessments on lower income owner-occupants or tenants in revitalizing areas; or
- v. Target only those properties deemed essential to the need or success of the project.

If the property is purchased through the use of eminent domain, the ultimate use of that property may not benefit a particular private party and must be for a public use; eminent domain can be

used for public use, but public use shall not be construed to include economic development that primarily benefits private entities. Any use of funds for mass transit, railroad, airport, seaport or highway projects, as well as utility projects which benefit or serve the general public including energy related, communication-related, water related, and wastewater-related infrastructure), other structures designated for use by the general public or which have other common-carrier or public-utility functions that serve the general public and are subject to regulation and oversight by the government, and projects for the removal of an immediate threat to public health and safety or brownfields as defined in the Small Business Liability Relief and Brownfields Revitalization Act (Pub. L. 107–118) shall be considered a public use for purposes of eminent domain.

Guidance on relocation considerations for persons with disabilities may be found in Chapter 3 of HUD’s Relocation Handbook 1378.

4.5 Protection of People and Property

This action plan establishes the allocation of CDBG–DR funds for programs and activities that will protect people and property from hardship to natural disasters and long-term risks in Texas. Funded activities and programs will pursue the reduction of risks and vulnerabilities of people in hazard-prone areas through activities related to disaster relief, long-term recovery, restoration of fire facilities, infrastructure and affordable multifamily rental housing, and mitigation.

The GLO will promote construction methods that emphasize high quality, durability, energy efficiency, sustainability, and mold resistance through its programs and activities, as required in 87 FR 31636 (May 24, 2022). The GLO will require site inspections on all projects to ensure quality and compliance with building codes. The GLO will encourage and support subrecipient efforts to update and strengthen local compliance codes to mitigate hazard risks. In the project application, subrecipients will submit an explanation of both current and future building and land use codes to mitigate hazard risks. The GLO will provide technical guidance on hazard mitigation code examples. All rehabilitation (meeting the definition of substantially damaged), reconstruction, and new construction will be required to incorporate Green Building Standards.

4.5.1 Elevation Standards

For new construction, repair of substantially damaged, or substantial improvement structures principally for residential use and located in the one percent annual (or 100-year) floodplain must be elevated with the lowest flood, including the basement, at least two feet above the one percent annual floodplain elevation.

Mixed-use structures with no dwelling units and no residents below two feet above the base flood elevation, must be elevated or floodproofed, in accordance with FEMA floodproofing standards at 44 CFR 60.3(c)(3)(ii) or successor standards, up to at least two feet above base flood elevation.

All structures that qualify under HUD’s definition of Critical Actions (24 CFR 55.2(b)(3)) that are within the 500-year (or 0.2 percent annual chance) floodplain must be elevated or floodproofed (in accordance with the FEMA standards) to the higher of the 500-year floodplain elevation or three

feet above the 100-year floodplain elevation. Applicable State, Local, and Tribal codes and standards for floodplain management that exceed these requirements, including elevation, setbacks, and cumulative substantial damage requirements, will be followed.

Nonresidential structures must be elevated to the standards described in this paragraph or floodproofed, in accordance with FEMA floodproofing standards at 44 CFR 60.3(c)(3)(ii) or successor standard, up to at least two feet above the 100-year (or one percent annual chance) floodplain. All rehabilitation, reconstruction, and new construction of nonresidential structures that qualify under HUD's definition of Critical Actions—structures that (1) produce, use or store highly volatile, flammable, explosive, toxic or water-reactive materials, (2) provide essential and irreplaceable records or utility or emergency services that may become lost or inoperative during flood and storm events, and (3) are likely to contain occupants who may not be sufficiently mobile to avoid loss of life or injury during flood or storm events—that are within the 500-year (or 0.2 percent annual chance) floodplain must be elevated or floodproofed (in accordance with the FEMA standards) to the higher of the 500-year floodplain elevation or three feet above the 100-year floodplain elevation. A few examples of structures associated with Critical Actions include hospitals, nursing homes, police stations, fire stations, and principal utility lines. Please see 24 CFR 55.2(b)(3) for the full definition and further examples of structures that fall under the rubric of critical action. If the 500-year floodplain or elevation data is unavailable, and the critical action is in the 100-year floodplain, then the structure must be elevated or floodproofed at least three feet above the 100-year floodplain elevation.

The GLO has not established elevation cost caps for multifamily rental developments and infrastructure (public facilities, public improvements, and/or nonresidential structures). To evaluate reasonable elevation costs, as opposed to alternative mitigation strategies, the GLO will rely on licensed engineers responsible for project budget justification, construction code requirements, and CDBG-DR project funding maximums. The GLO will encourage subrecipients to consider the costs and benefits of the project when selecting CDBG-DR eligible projects.

Covered multifamily dwellings, as defined at 24 CFR 100.201 as well as common use facilities in developments with covered dwellings, must meet the design and construction requirements at 24 CFR 100.205, which implement the Fair Housing Act (42 U.S.C. 3601–3619), the design and construction requirements of the Fair Housing Act Design Manual and the ADA 2010 requirements with the HUD exceptions (79 FR 29671, May 23, 2014). Additionally, developments involving new construction (excluding construction of nonresidential buildings) where some units are two-stories and are normally exempt from fair housing accessibility requirements, a minimum of 20 percent of each Unit type (e.g., one bedroom, two bedroom, three bedroom) must provide an accessible entry level and all common-use facilities in compliance with the design and construction requirements of the Fair Housing Act Design Manual and include a minimum of one bedroom and one bathroom or powder room at the entry level. A compliance certification will be required after the development is completed from an inspector, architect, or accessibility specialist.

Single family home resiliency solutions are expected to add approximately 10 to 15 percent to the total cost per home; multi-family resiliency solutions add 15 to 20 percent to the total cost per project; and infrastructure resiliency solutions add 15 to 20 percent to the total cost per project.

4.5.2 Flood Insurance Requirements

Assisted property owners must comply with all flood insurance requirements. HUD-assisted homeowners for a property located in a Special Flood Hazard Area must obtain and maintain flood insurance in the amount and duration prescribed by FEMA's National Flood Insurance Program (NFIP). The GLO may not provide disaster assistance for the repair, replacement, or restoration of a property to a person who has received Federal flood disaster assistance that was conditioned on obtaining flood insurance and then that person failed to obtain or allowed their flood insurance to lapse for the property. The GLO is prohibited by HUD from providing CDBG-DR assistance for the rehabilitation or reconstruction of a house if:

- The combined household income is greater than 120 percent AMI or the national median;
- The property was located in a floodplain at the time of the disaster; and
- The property owner did not maintain flood insurance on the damaged property.

To ensure adequate recovery resources are available to LMI homeowners who reside in a floodplain but who are unlikely to be able to afford flood insurance may receive CDBG-DR assistance if:

- The homeowner had flood insurance at the time of the qualifying disaster and still has unmet recovery needs; or
- The household earns less than 120 percent AMI or the national median and has unmet recovery needs.

Property owners assisted will be required to acquire and maintain flood insurance in perpetuity if their properties are located in a FEMA designated floodplain. This requirement is mandated to protect the safety of residents and their property and the investment of federal dollars. Texas will ensure adherence to Section 582 of the National Flood Insurance Reform Act regarding the responsibility to inform property owners receiving disaster assistance that triggers the flood insurance purchase requirement that they have a statutory responsibility to notify any transferee of the requirement to obtain and maintain flood insurance, and that the transferring owner may be liable if he or she fails to do so.

4.5.3 Construction Standards

The GLO will require quality inspections and code compliance inspections on all projects and places an emphasis on high-quality, durable, sustainable, and energy efficient construction methods and materials. Site inspections will be required on all projects to ensure quality and compliance with building codes.

All rehabilitation, reconstruction, or new construction must meet the Green and Resilient Building Standard. These projects must meet an industry-recognized standard that have achieved certification under at least one of the following programs:

- Enterprise Green Communities;

- LEED (New Construction, Homes, Midrise, Existing Building Operations and Maintenance or Neighborhood Development);
- ICC- 700 National Green Building Standards;
- Living Building Challenge; or
- Any other equivalent comprehensive green building standard program acceptable to HUD.

Additionally, all such construction must achieve a minimum energy efficiency standard, such as:

- ENERGY STAR (Certified Homes or Multifamily High-Rise);
- DOE Zero Energy Ready Home;
- EarthCraft House, EarthCraft Multifamily;
- Passive House Institute Passive Building or EnerPHit certification from the Passive House Institute US (PHIUS), International Passive House Association;
- Greenpoint Rated New Home, Greenpoint Rated Existing Home (Whole House or Whole Building label);
- Earth Advantage New Homes; or
- Any other equivalent energy efficiency standard acceptable to HUD.

The GLO will use Texas Minimum Construction Standards for the proposed programs or activities.

For rehabilitation of non-substantially damaged residential buildings, the GLO will follow the guidelines to the extent applicable as specified in the HUD CPD Green Building Retrofit Checklist. When older or obsolete products are replaced as part of rehabilitation work, the rehabilitation is required to use ENERGY STAR-labeled, WaterSense-labeled, or Federal Energy Management Program (FEMP)-designated products or appliances.

For infrastructure projects, the GLO will encourage, to the extent practicable, implementation of green building practices.

For infrastructure projects, the GLO will encourage, to the extent practicable, implementation of Texas Accessibility Standards (TAS) of the Architectural Barriers Act, Chapter 469, Texas Government Code, and the Texas Department of Licensing and Regulation (TDLR) Architectural Barriers Administrative Rules, 16 Texas Administrative Code, Part 4, Chapter 68. If estimated construction costs exceed Fifty Thousand Dollars (\$50,000.00), Construction Documents must be submitted to the Texas Department of Licensing and Regulation (TDLR) for an accessibility plan review. All Subrecipients must ensure their project activities are in compliance with all provisions of the Americans with Disabilities Act of 1990 (ADA).

As per 44 CFR 59.1, the GLO defines substantially damaged as damage of any origin sustained by a structure whereby the cost of restoring the structure to it before damaged conditions would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Eligibility criteria for assistance will include costs for rehabilitation, reconstruction, and new construction are reasonable and consistent with market costs at the time and place of construction. Projects with five or more units must ensure construction costs are reasonable and consistent with market costs at the time and place of construction.

As stated in the Federal Register, CDBG–DR funds used toward flood control structures are prohibited from enlarging a dam or levee beyond the original footprint of the structure that existed before the disaster event, without obtaining pre-approval from HUD and any Federal agencies that HUD determines are necessary based on their involvement or potential involvement with the levee or dam. Subrecipients that use CDBG–DR funds for levees and dams are required to: (1) Register and maintain entries regarding such structures with the USACE National Levee Database or National Inventory of Dams; (2) ensure that the structure is admitted in the USACE PL 84–99 Program (Levee Rehabilitation and Inspection Program); (3) ensure the structure is accredited under the FEMA National Flood Insurance Program; (4) enter the exact location of the structure and the area served and protected by the structure into the DRGR system; and (5) maintain file documentation demonstrating that the grantee has conducted a risk assessment before funding the flood control structure and documentation that the investment includes risk reduction measures.

4.5.4 Contractors Standards

Contractors selected under the GLO will make every effort to provide opportunities to low and very low-income persons by providing resources and information to notify Section 3 individuals and businesses of opportunities in the community. The GLO will report Section 3 accomplishments in the Disaster Recovery Grant Reporting (DRGR) system.

For applicable funded programs, the GLO and its subrecipients will ensure compliance with all pertinent Section 3 regulations to the greatest extent possible, including providing training, employment, contracting, and other economic opportunities to low-income and very low-income persons, especially recipients of government assistance for housing and to businesses that provide economic opportunities to low- and very low-income persons.

For the 2021 Winter Storms (21WS) HUD MID Counties Program, cost verification controls must be in place to assure that construction costs are reasonable and consistent with market costs at the time and place of construction for affordable multi-family housing. For infrastructure projects, the GLO will rely on licensed engineers responsible for project budget justification, construction code requirements, and CDBG-DR project funding maximums. The GLO will encourage subrecipients to consider the costs and benefits of the project when selecting CDBG-DR eligible projects. The GLO may use an independent, qualified third-party architect, construction manager, or other professional (e.g., a cost estimator) to verify the planned project costs and cost changes to the contract (e.g., change orders) during implementation are reasonable. The proposed projects undergo application review which includes a cost verification.

To ensure full and open competition, subrecipients are required to follow federal procurement and contract requirements outlined in 2 CFR 200.318 – 200.327. The GLO will monitor subrecipient procurement. The GLO shall attend and require subrecipients to attend fraud-related training provided by HUD OIG to assist in the proper management of CDBG-DR grant funds.

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).

The GLO will require a warranty period post-construction for housing: all work performed by the contractor will be guaranteed for a period of one year. The homeowner will be provided with all applicable instruction booklets and warranty information. Subrecipients or the state must inform the applicants at closing what the home warranty terms are and when they expire.

4.5.5 Preparedness, Mitigation and Resiliency

Resilience is defined as a community's ability to minimize damage and recover quickly from extreme events and changing conditions, including natural hazard risks. The mitigation activities outlined in the Action Plan detail a strategy that reduces risks and vulnerabilities of people in hazard-prone areas - particularly vulnerable populations and historically underserved communities—in tandem with new and existing properties, infrastructure, and local economies.

Recognizing the state's long and well-documented history of flooding, hurricanes, wildfires, winter storms and droughts, as well as the state's ongoing efforts to mitigate future disaster impacts in its most vulnerable areas, the GLO continues its commitment to rebuilding while prioritizing resiliency. In assessing unmet needs, it is important to consider the additional costs of safeguarding housing and community infrastructure investments from future disasters. The GLO will not only assess projects that replace or repair lost property but will also seek to invest resources in mitigation efforts that strengthen the resiliency of communities against future disasters. Although this can increase costs initially, incorporating mitigation strategies in recovery efforts can greatly reduce the cost of future damages by a ratio of 6:1. The success of this long-term recovery practice was seen firsthand during Hurricane Harvey when resilience-enhanced projects from previous GLO-administered CDBG-DR efforts fared better than other projects lacking a mitigation component.

The GLO will use a variety of methods to inform local officials and the public on the purpose and goals of the Plan, including an understanding of hazard risks in the MID area. Outreach, engagement, and consultation methods provided opportunities to provide MID communities with an awareness of their hazard risks. Public posting of the Action Plan with its Mitigation Needs Assessment and other risk assessment details will increase HUD and Secondary MID communities' awareness of their hazard risks and mitigation options. To ensure outreach to underserved communities, critical documents were translated for LEP populations such as the Action Plan and statewide GLO-administered 2021 Winter Storms needs survey.

In accordance with the Notices, the GLO will promote sound, sustainable long-term recovery planning informed by a post-disaster evaluation of hazard risk, including climate-related natural hazards, in order to integrate hazard mitigation and resilience planning into disaster recovery efforts. The mitigation activities outlined in this action plan support a strategy that reduces risks and vulnerabilities of people and property in hazard-prone areas by emphasizing high-quality, durable and energy efficient construction while ensuring projects are feasible and cost-effective. Construction, reconstruction, and rehabilitation of residential and non-residential structures

activities will include construction standards incorporating sustainability, including water and energy efficiency, resilience, and mitigation against the impact of future disasters, as feasible. The GLO will support efforts to adopt resilient building codes and update local compliance codes, zoning, and other building requirements that help mitigate risks due to future hazards and disasters, such as sea level rise, high winds, storm surge, wildfires, and flooding where applicable. The GLO encourages subrecipients to make land-use decisions that reflect responsible and safe standards to reduce future natural hazard risks, including climate-related risks, and remove people and property out of harm's way.

Multifamily resiliency solutions add 15 to 20 percent to the total cost per project; and infrastructure resiliency solutions add 15 to 20 percent to the total cost per project. Resiliency solutions are varied and dependent on the respective area's Threat and Hazard Identification and Risk Assessment.

Multifamily resiliency solutions include (1) elevation; (2) retention basins; (3) fire-safe landscaping; (4) firewalls; (5) landscaped floodwalls; and (6) weatherization for winter storms. In the instance of elevating a first floor of a habitable area, single family units and multifamily dwellings must meet accessibility requirements and visitability standards as defined in the GLO guidelines.

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

- i. Weatherization of critical systems, fire facilities, roadways, and other protective measures tied to winter storm or extreme cold disaster response;
- ii. Installing backup power generators permanently affixed to critical systems (water, sewer, etc.);
- iii. Avoiding an increase in impervious cover by keeping projects in their original footprint and encouraging the use of building practices that allow for more pervious coverage;
- iv. Replanting with only native vegetation to preserve the natural environment;
- v. Elevating critical systems, facilities, and roadways above base flood elevation;
- vi. Storm water management including installing retention basins, larger culverts and debris guards, and erosion control solutions; and
- vii. Supporting local community efforts to adopt resilient building codes and regulations.

Nonresidential structures, including infrastructure, assisted with CDBG-DR funds must be elevated to the standards described in this paragraph or floodproofed, in accordance with FEMA floodproofing standards at 44 CFR 60.3(c)(3)(ii) or successor standard, up to at least two feet above the 100-year (or one percent annual chance) floodplain. All Critical Actions, as defined at 24 CFR 55.2(b)(3), within the 500-year (or 0.2 percent annual chance) floodplain must be elevated or floodproofed (in accordance with FEMA floodproofing standards at 44 CFR 60.3(c)(2)–(3) or successor standard) to the higher of the 500-year floodplain elevation or three feet above the 100-year floodplain elevation. If the 500-year floodplain or elevation is unavailable, and the Critical Action is in the 100-year floodplain, then the structure must be elevated or floodproofed at least three feet above the 100-year floodplain elevation. Activities subject to elevation requirements must comply with applicable federal accessibility mandates.

The following elevation standards apply to new construction, rehabilitation of substantial damage, or rehabilitation resulting in substantial improvement of residential structures located in an area delineated as a special flood hazard area or equivalent in FEMA's data sources. 24 CFR 55.2(b)(1) provides additional information on data sources, which apply to all floodplain designations. All structures, defined at 44 CFR 59.1, designed principally for residential use, and located in the one percent annual chance (or 100-year) floodplain, that receive assistance for new construction, reconstruction, rehabilitation of substantial damage, or rehabilitation that results in substantial improvement, as defined at 24 CFR 55.2(b)(10), must be elevated with the lowest floor, including the basement, at least two feet above the one percent annual chance floodplain elevation (base flood elevation). Mixed-use structures with no dwelling units and no residents below two feet above base flood elevation, must be elevated or floodproofed, in accordance with FEMA floodproofing standards at 44 CFR 60.3(c)(3)(ii) or successor standard, up to at least two feet above base flood elevation.

All Critical Actions, as defined at 24 CFR 55.2(b)(3), within the 500-year (or 0.2 percent annual chance) floodplain must be elevated or floodproofed (in accordance with FEMA floodproofing standards at 44 CFR 60.3(c)(2)–(3) or successor standard) to the higher of the 500-year floodplain elevation or three feet above the 100-year floodplain elevation. If the 500-year floodplain is unavailable, and the Critical Action is in the 100-year floodplain, then the structure must be elevated or floodproofed (in accordance with FEMA floodproofing standards at 44 CFR 60.3(c)(2)–(3) or successor standard) at least three feet above the 100-year floodplain elevation. Critical Actions are defined as “any activity for which even a slight chance of flooding would be too great, because such flooding might result in loss of life, injury to persons or damage to property.” For example, Critical Actions include hospitals, nursing homes, emergency shelters, police stations, fire stations, and principal utility lines.

The GLO, where applicable, will work with local communities on a case-by-case basis to ensure that the mitigation strategies selected will be cost reasonable for the community.

Further, to also position Preparedness, Mitigation, and Resiliency efforts, all proposed projects must:

- i. Promote sound, sustainable long-term recovery planning informed by a post-disaster evaluation of hazard risk, especially land-use decisions that reflect responsible floodplain management and take into account winter storms;
- ii. Coordinate with local and regional planning efforts to ensure consistency and promote community-level and/or regional (e.g., multiple local jurisdictions) post disaster recovery and mitigation planning;
- iii. Integrate mitigation measures into rebuilding activities and achieve objectives outlined in regionally or locally established plans and policies that are designed to reduce future risk to the jurisdiction;
- iv. Consider the costs and benefits of the project which will be evaluated by the GLO through the application process;
- v. Ensure that activities will avoid disproportionate impact on vulnerable populations such as, but not limited to, families and individuals that are homeless or at risk of homelessness,

- the elderly, persons with disabilities, persons with alcohol or other drug addiction, persons with HIV/AIDS and their families, and public housing residents;
- vi. Align investments with other planned state or local capital improvements and infrastructure development efforts, and work to foster the potential for additional infrastructure funding from multiple sources, including existing state and local capital improvement projects in planning, and potential private investment;
 - vii. Employ adaptable and reliable technologies to guard against premature obsolescence of infrastructure;
 - viii. Identify and implement resilient performance metrics as outlined in section II.A.2.c of the consolidated notice 87 FR 6364 (February 3, 2022); and
 - ix. Cost Verification Controls must be in place to assure that construction costs are reasonable and consistent with market costs at the time and place of construction.

The 2021 Winter Storm CDBG-DR funding is an opportunity to address the existing need to better prepare the State's citizens and infrastructure against winter storms. Extended exposure to extreme cold and winter weather is a risk the state intends to mitigate with weatherization and adapting critical infrastructure and community resources to maintain more reliable energy capabilities.

4.5.5.1 Environmental Review

The Responsible Entities for meeting environmental review requirements for the 2021 Winter Storms (21WS) HUD MID Counties Program are the subrecipients of Dallas County, Harris County, and Tarrant County. For the 2021 Winter Storms (21WS) Fire Facilities and Protective Measures (FFPM) Program, cities, counties, or Federally recognized Indian Tribes in the Secondary MID area are the Responsible Entities for meeting environmental review requirements.

The subrecipient will comply with the applicable environmental requirements in 24 CFR Part 58 before using or committing HUD and non-HUD funds for each activity. After the Responsible Entity (1) completes environmental review(s) under 24 CFR Part 58 or (2) adopts another Federal agency's environmental review, the Responsible Entity submits a Request for Release of Funds and certification (as applicable) to the GLO and receives an Authority to Use Grant Funds (as applicable) or similar approval from the GLO. The grantee may then draw down funds from the line of credit for an activity.

4.5.6 Broadband Infrastructure in Housing

Any substantial rehabilitation or new construction of a building with more than four rental units will include installation of broadband infrastructure, except when:

- The location of the new construction or substantial rehabilitation makes the broadband infrastructure infeasible;
- The cost of installing broadband infrastructure would result in a fundamental alteration in the nature of its program or activity or in an undue financial burden; or
- The structure of the housing to be substantially rehabilitated makes installation of broadband infrastructure infeasible.

4.5.7 Cost-Effectiveness

The GLO will rely on licensed engineers responsible for project budget justification, construction code requirements, and CDBG-DR project funding maximums. The GLO will encourage subrecipients to consider the costs and benefits of the project when selecting CDBG-DR eligible projects.

The maximum amount of assistance available to subrecipients under the GLO's disaster recovery program will be the maximum allocated set in the GLO Use of Funds by each program. For all housing activities, the GLO's housing guidelines establish housing assistance maximums. A waiver request must be submitted to the GLO if a subrecipient's housing assistance maximums exceed the GLO amounts. The GLO will evaluate each housing assistance waiver request for cost effectiveness.

"Demonstrable hardship" is defined by the GLO as:

- *Hardship due to housing cost burden:* Households who spend more than 30 percent of their monthly gross income on housing costs are expected to experience hardship in recovery due to having limited financial resources;
- *Hardship due to healthcare expenses:* Households who spend more than 20 percent of their income on healthcare expenses as a result of a disability or illness have long-term financial commitments to consider when contemplating incurring additional debt. Additional debt would be a burden and limit available resources needed to pay for these costs;
- *Hardship due to cost of caring for dependents:* Homeowners who spend more than 20 percent of their income on dependent or other care related expenses as a result of being responsible for providing care to parents, children, grandchildren, and other dependents; or
- *Hardship due to Age or Disability:* Households that include a member who is over the age of 65 or who is disabled (and surviving spouses), who has received a property tax payment waiver or exemption from the state of Texas because it has already determined that the payment of property taxes constitutes a hardship.

Applicants in this situation will be reviewed on a case-by-case basis to determine whether assistance is required to alleviate such hardship. Following the Residential Anti-displacement and Relocation Assistance Plan (RARAP), the GLO defines "not suitable for rehabilitation" as those units for which the cost of rehabilitation, including clear consideration for resolving issues affecting health and safety, exceeds the cap allowed for the project type.

4.5.8 Duplication of Benefits

As stated in 87 FR 31636, Section 312 of the Robert T. Stafford Act, as amended, prohibits any person, business concern, or other entity from receiving financial assistance with respect to any part of a loss resulting from a major disaster for which such person, business concern, or other entity has received financial assistance under any other program or from insurance or any other source. In accordance, the GLO will implement policies and procedures to ensure each activity provides assistance to a person or other entity only to the extent that the person or entity has a

disaster recovery need that has not been fully met by FEMA, the USACE, insurance, or another source. Further guidance for duplication of benefits is outlined in 84 FR 28836 and 84 FR 28848, published June 20, 2019.

The GLO provides program-wide oversight and monitoring activities for all applicable CDBG and related federal requirements in its administration of the CDBG-DR Program. The GLO will provide technical assistance, including a duplication of benefits review to ensure compliance with the Stafford Act, to subrecipients from the application stage through the completion of the projects to ensure that funds are appropriately used for CDBG-DR activities.

5. Grantee Proposed Use of Funds

5.1 Overview

The GLO is the lead agency and responsible entity for administering the \$43,632,000 in CDBG-DR funds allocated for disaster recovery tied to the 2021 Winter Storms in Texas (DR-4586). These programs included the 2021 Winter Storms (21WS) HUD MID Counties Program, for the HUD MID counties, and the 2021 Winter Storms (21WS) Fire Facilities and Protective Measures (FFPM) Program for all Texas communities outside the HUD MID counties.

The GLO prioritized programs that will assist in meeting the short- and long-term unmet needs of impacted citizens and communities across the state while also addressing mitigation approaches for those HUD MID counties. Programs will be focused on recovery for affordable multifamily housing, infrastructure, fire protection facilities, fire protection equipment, and emergency power generators permanently affixed to public facilities. These programs and activities are based on the unmet needs assessment, hazard risk assessment, community consultations, and a statewide survey regarding the needs and approaches to unmet needs tied to these winter storms. In addition, HUD MID counties will be allocated the mitigation set-aside funds in the amount of \$5,691,000 through the 21WS HUD MID Counties Program to perform mitigation activities to enhance their disaster recovery projects or establish mitigation only activities which must address current and future risk related to winter storms.

5.2 Program Budget

2021 Winter Storms Total Allocation Budget						
Programs	HUD MID	Secondary MID	Total Allocation	LMI Amount	% of Total Allocation by Program	% of Total Allocation
21WS HUD MID Counties Program	\$ 24,768,000	\$ -	\$ 24,768,000	\$ 17,337,600	56.77%	69.81%
21WS HUD MID Counties Program: Mitigation Set-aside	\$ 5,691,000	\$ -	\$ 5,691,000	\$ 3,983,700	13.04%	
21WS Fire Facilities and Protective Measures (FFPM) Program	\$ -	\$ 7,500,000	\$ 7,500,000	\$ 5,250,000	17.19%	17.19%
Secondary MID Mitigation Set-aside	\$ -	\$ -	\$ -	\$ -	0.00%	
Project Delivery	\$ 1,047,840	\$ 261,960	\$ 1,309,800	\$ 916,860	3.00%	3.00%
State Planning	\$ 1,745,280	\$ 436,320	\$ 2,181,600	N/A	5.00%	5.00%
Administration	\$ 1,745,280	\$ 436,320	\$ 2,181,600	N/A	5.00%	5.00%
Total	\$ 34,997,400	\$ 8,634,600	\$ 43,632,000	\$ 27,488,160	100%	100%

Program Details Summary For HUD's Disaster Recovery Grant Reporting (DRGR) System								
Program Category	Program	Budget	HUD Identified MID Budget	Grantee Identified MID Budget	% of Allocation	Maximum Award	National Objective	Estimated Outcome
Housing	Rehab	\$ -	\$ -	\$ -	0.00%	\$-	N/A	N/A
	Buyout	\$ -	\$ -	\$ -	0.00%	\$-	N/A	N/A
	New Construction	\$ -	\$ -	\$ -	0.00%	\$-	N/A	N/A
	Other	\$ 8,605,280.00	\$ 8,605,280.00	\$ -	19.72%	\$ 8,605,280.00	LMI/UN/SB	N/A
Economic Revitalization	Workforce Training	\$ -	\$ -	\$ -	0.00%	\$-	N/A	N/A
	Business Grants	\$ -	\$ -	\$ -	0.00%	\$-	N/A	N/A
	Other	\$ -	\$ -	\$ -	0.00%	\$-	N/A	N/A
Infrastructure	Water/sewer Improvements	\$ -	\$ -	\$ -	0.00%	\$-	N/A	N/A
	Health Facilities	\$ -	\$ -	\$ -	0.00%	\$-	N/A	N/A
	Other	\$ 24,972,520.00	\$ 17,210,560.00	\$ 7,761,960.00	57.23%	\$ 10,153,000.00	LMI/UN/SB	N/A
Public Services	Legal Services	\$ -	\$ -	\$ -	0.00%	\$ -	N/A	N/A
	Housing Counseling	\$ -	\$ -	\$ -	0.00%	\$ -	N/A	N/A
	Other	\$ -	\$ -	\$ -	0.00%	\$ -	N/A	N/A
Mitigation	Mitigation	\$ 5,691,000.00	\$ 5,691,000.00	\$ -	13.04%	\$ 1,897,000.00	LMI/UN	N/A
Admin	Admin	\$ 2,181,600.00	\$ 1,745,280.00	\$ 436,320.00	5.00%	\$ -	N/A	N/A
Planning	Planning	\$ 2,181,600.00	\$ 1,745,280.00	\$ 436,320.00	5.00%	\$ -	N/A	N/A
Total		\$ 43,632,000.00	\$ 34,997,400.00	\$ 8,634,600.00	100.00%	N/A	N/A	N/A

5.2.1 Connection to Unmet Needs

As required by the Notices, the GLO will allocate at least 80 percent of the funds to address unmet needs within the HUD MID areas through its direct 21WS HUD MID Counties program, project delivery, planning, and administration funds. The remaining 20 percent of the allocation will be used to address unmet needs in other areas that received a DR-4586 (2021 Winter Storms) presidential major disaster declaration.

Due to the limited nature of the funds and the large geography of the eligible area, the GLO is not currently planning on using funds on subrecipient-led planning activities, instead opting to focus on infrastructure, affordable multifamily rental activities and fire facilities and protective measures.

The allocated planning funds will be used in efforts related to the 2021 Winter Storms Action Plan and capacity building activities. At least 80 percent of these efforts will benefit the 2021 Winter Storms (21WS) HUD MID Counties Program, allowing \$1,745,280 (80 percent of the \$2,181,600 planning total) to be designated as HUD MID expenditures. The planning funds will be spent in accordance with Notice CPD-2023-06.

This action plan primarily considers and addresses affordable multifamily housing, infrastructure, fire protection facilities, fire protection equipment, and power generator needs which were determined as critical through a comprehensive needs assessment and stakeholder outreach approach that was completed to identify long-term needs and priorities. Existing homeowners' insurance policies likely covered a substantial portion of losses and the allocation that the state received is inadequate to launch a large-scale and cost-effective housing assistance program.

However, due to the need for and cost effectiveness of multifamily housing, given the limited amount of funds, it may be feasible for the HUD MID counties to use their allocation in the rehabilitation, reconstruction or construction of affordable multifamily rental housing. Infrastructure needs, particularly weatherizing critical infrastructure like water and electric utilities, also had an outstanding unmet need based on consultations and a statewide survey. Furthermore, stakeholder input received through the GLO-administered survey pointed to the need

for funds to tackle damage to existing infrastructure and mitigating against future disasters related to winter storms.

To meet critical support facilities and energy needs, the Action Plan will make funds available to address fire protection facilities, fire protection equipment, and power generator needs. The 2021 Winter Storms (21WS) Fire Facilities and Protective Measures (FFPM) Program addresses a wide range of needs that were reported in multiple 2021 Winter Storms after action reports across the state. In particular, there was a strong consensus for the need tied to equipment for first responder vehicles and the ability for emergency vehicles that aided in the response effort to fully function during winter storm events. These needs were tied to emergency vehicles not being able to safely drive and reach victims in winter weather conditions as well as the need for power generators and power generation during the severe winter event.

Despite housing being the largest unmet need in the needs assessment, single family housing activities have not been selected as an eligible activity under either of the two programs. Because the 2021 Winter Storms impacted the entire state and the state received a relatively small allocation, the GLO is focusing on affordable multifamily rental housing, infrastructure and fire facilities and protection activities. Additionally, single family housing needs have largely been addressed through:

- Over \$4 billion in residential property losses paid out to insurance policyholders across the state, per the Texas Department of Insurance (TDI);
- Over \$165 million in home loans by the Small Business Administration (SBA);
- Over \$94 million in FEMA Individual Assistance (IA) awards amounts for personal property (PP) tied to flooding repair and replace amounts per data provided by HUD from FEMA as of August, 2023; and
- Over \$182 million in FEMA Individual Assistance (housing assistance) payouts as of January 24th, 2024.

Due to the above factors, the housing set aside for the two programs is 19.72% of the total allocation. As the HUD MID counties make determinations on their applications, the GLO will update the housing and infrastructure totals.

At least 70 percent of all program funds will benefit LMI persons or households. The GLO anticipates meeting the LMI requirement by ensuring at least 70 percent of program funds are spent on LMI eligible projects. Likewise, the 21WS Fire Facilities and Protective Measures (FFPM) Program will prioritize projects that meet the LMI national objective.

5.2.2 Leveraging Funds

The GLO anticipates leveraging CDBG-DR funds with federal (other HUD funds, FEMA, SBA, Economic Development Administration, U.S. Army Corps of Engineers, U.S. Department of Agriculture), state, local, private, and nonprofit sources to maximize the impact of the limited CDBG-DR funds available as appropriate and available. The GLO will work with, and encourage, subrecipients to do the same to generate more effective and comprehensive recovery. Likewise, the GLO will also encourage subrecipients to collaborate with local governments, local long-term

recovery groups, local nonprofit organizations, and vulnerable populations advocacy groups to strategically align funding opportunities and programs to generate more effective and comprehensive recovery and mitigation strategies.

CDBG-DR funds may be used for non-federal matching requirements for and/or contributed to any other federal program when used to carry out an eligible CDBG-DR activity. This includes programs or activities administered by FEMA or USACE. By law (codified in the HCDA as a note to 105(a)), the amount of CDBG-DR funds that may be contributed to a USACE project is \$250,000 or less. The GLO will report on leveraged funds in HUD's Disaster Recovery Grant Reporting System (DRGR).

5.2.3 Program Partners

The GLO does not anticipate any program partners for the 2021 Winter Storms CDBG-DR allocation.

5.2.4 Distribution of Funds

Due to the state-wide impact and eligibility based on areas that received a DR-4586 (2021 Winter Storms) presidential major disaster declaration, the GLO's CDBG-DR programs will provide funding statewide through two primary programs; 1) the 2021 Winter Storms (21WS) HUD MID Counties Program, and 2) the 2021 Winter Storms (21WS) Fire Facilities and Protective Measures (FFPM) Program. As required by the Notices, the GLO will use at least 80 percent of the allocation to address unmet needs within the HUD-identified MID areas. These areas will be served by the 2021 Winter Storms (21WS) HUD MID Counties Program to address necessary expenses for activities authorized under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) related to disaster relief, long-term recovery, restoration of infrastructure and affordable multifamily rental housing, and mitigation in the HUD MID areas. As the state of Texas's Hazard Mitigation Plan (SHMP) from October 2018 illustrates, communities in Texas experience significant disruptions from, and have a wide range of vulnerabilities, to severe winter weather. Therefore, this program allows HUD MID counties the flexibility to address their specific unmet needs resulting from the 2021 Winter Storms while also allowing them the ability to capitalize on the mitigation set-aside funds to enhance their disaster recovery projects or establish mitigation only activities which must address current and future risk related to winter storms.

Despite housing being the largest unmet need in the needs assessment, single family housing activities have not been selected as an eligible activity under either of the two programs. Because the 2021 Winter Storms impacted the entire state and the state received a relatively small allocation, the State has chosen to focus on affordable multifamily rental housing, infrastructure and fire facilities and protection activities. Additionally, single family housing needs have largely been addressed through:

- Over \$4 billion in residential property losses paid out to insurance policyholders across the state, per the Texas Department of Insurance (TDI);
- Over \$165 million in home loans by the Small Business Administration (SBA);

- Over \$94 million in FEMA Individual Assistance (IA) awards amounts for personal property (PP) tied to flooding repair and replace amounts per data provided by HUD from FEMA as of August, 2023; and
- Over \$182 million in FEMA Individual Assistance (housing assistance) payouts as of January 24th, 2024.

Due to the above factors, the housing set aside for the two programs is 19.72% of the total allocation. As the HUD MID counties make determinations on their applications, the GLO will update the housing and infrastructure totals.

The remaining 20 percent will go toward Secondary MID counties, which will be served by the 21WS Fire Facilities and Protective Measures (FFPM) Program. This program will address unmet needs tied to fire protection facilities, fire protection equipment, and power generators. The SHMP describes these components as some of the most impacted by severe winter weather while also being identified in the state-wide GLO administered 2021 Winter Storms survey. Additionally, FEMA states in its Community Lifeline Report that fire services are an essential aspect of safety and security which further supports these program components. This program will serve eligible counties in Texas outside the HUD MID counties as defined by their eligibility through the DR-4586 declaration. The below descriptions describe how the State will distribute grant funds through both programs which will result in, not only, long-term recovery from specific impacts from the 2021 Winter Storms, but help the HUD MID counties mitigate from current and future risks related to winter storms.

At least 70 percent of all program funds will benefit LMI persons or households. The GLO anticipates meeting the LMI requirement by ensuring at least 70 percent of program funds are spent on LMI eligible projects. Likewise, the 2021 Winter Storms (21WS) Fire Facilities and Protective Measures (FFPM) Program will prioritize projects that meet the LMI national objective.

5.2.4.1 2021 Winter Storms (21WS) HUD MID Counties Program

The GLO will administer the 21WS HUD MID Counties Program with the three HUD MID counties (Dallas, Harris, and Tarrant) as subrecipients to the GLO with projects being carried out directly by the counties. This distribution of funds for the HUD MID counties will allow for specific projects that target those areas most impacted across the respective counties. Through the needs assessment data gathering and analysis process, consultations, and the state-wide survey, GLO has identified and recognizes the widespread impact the storms had on multifamily rental housing. Additionally, it was determined that there were also impacts to infrastructure that require restoration with these funds. These improvements to local infrastructure, along with other area wide winter storm mitigation efforts, will remain crucial components to support housing, affordable multifamily rental housing, and other community assets alongside each community's population.

5.2.4.1.1 Eligible Applicants

- i. Dallas County

- ii. Harris County
- iii. Tarrant County

5.2.4.1.2 Distributions of Funds

Because a total of \$30,459,000 is available for HUD MID counties, the GLO made the determination to set a floor of \$10 million per county. Based on previous experience in administering grants, a minimum of \$10 million is necessary to allow for an impactful disaster recovery in the HUD designated Most Impacted and Distressed areas. Because the remaining funds after the \$10 million per county floor totaled to \$459,000, the determination was made to split the remainder evenly across the HUD MID counties as noted below:

- i. Dallas County: \$10,153,000 (inclusive of a mitigation set-aside allocation of \$1,897,000)
- ii. Harris County: \$10,153,000 (inclusive of a mitigation set-aside allocation of \$1,897,000)
- iii. Tarrant County: \$10,153,000 (inclusive of a mitigation set-aside allocation of \$1,897,000)

Each HUD MID county must meet its mitigation set-aside amount to address current and future risks related to winter storms met by either incorporating mitigation activities as part of a project that address unmet disaster recovery need related to the 2021 Winter Storms or as a stand-alone mitigation project.

5.2.4.1.3 Award Amount

- i. Maximum Award: \$10,153,000

5.2.4.1.4 Eligible Activities

Activities that are allowed under CDBG-DR funding are below and are related to disaster relief, long-term recovery, restoration of infrastructure and affordable multifamily rental housing, and mitigation in the HUD MID areas. All activities allowed under CDBG-DR; HCDA Section 105(a)(1-5), 105(a)(7-9), 105(a)(11), and 105(a)(14-15), including but not limited to:

- i. Rehabilitation, reconstruction, and new construction of affordable multifamily housing;
- ii. Infrastructure improvements (such as water and sewer facilities, streets, provision of generators, removal of debris, bridges, etc.);
- iii. Communications infrastructure;
- iv. Public facilities;
- v. Reconstruction, construction, and improvement of fire protection facilities;
- vi. As cited in 24 CFR 570.207(b)(1)(ii) as eligible under 24 CFR 570.201(c), fire protection equipment is considered, for this purpose, to be an integral part of a public facility. Thus, purchase of such equipment would be eligible under the category of Public Facilities and Improvements. This includes fire engines and specialized tools such as “jaws of life,” life-saving equipment, and protective clothing worn by fire fighters;
- vii. Emergency power generators permanently affixed to public facilities;

- viii. Provision of public services within the 15 percent cap (e.g., housing counseling, legal counseling, job training, mental health, and general health services); and
- ix. Cost share for CDBG-DR eligible projects and other payment of the non-Federal share required in connection with a Federal grant-in-aid programs.

The variety of eligible activities eligible under the mitigation portion of the allocation allows communities to address a number of FEMA's Community Lifelines, each of which is described in the SHMP as impacted by severe winter weather and extreme cold.

5.2.4.1.5 Multifamily Eligibility Criteria:

- i. Development must meet CDBG-DR eligibility requirements;
- ii. Development must be located in a CDBG-DR HUD MID county;
- iii. Must demonstrate that the proposed development addresses rental unmet need from the disaster (DR-4586);
- iv. A minimum of 51 percent of the units must be restricted for a minimum affordability period of fifteen (15) years for the rehabilitation or reconstruction of multifamily rental projects with five or more units, and a minimum affordability period of twenty (20) years for the new construction of multifamily rental units with five or more units for LMI individuals earning 80 percent or less of the AMFI at affordable rents. If a rental project that requires rehabilitation or reconstruction is subject to existing affordability requirements associated with other funding sources, the 15-year affordability period may run concurrently (or overlap) with the affordability requirements associated with such other funding;
- v. Projects with five (5) or more units must ensure construction costs are reasonable and consistent with market costs at the time and place of construction;
- vi. The affordable rents must comply with High HOME Rents and other existing Land Use Restriction Agreement (LURA) restrictions, if applicable;
- vii. Property Types: Multifamily rental development is five or more rental units under common ownership;
- viii. Property owners receiving disaster assistance that triggers the flood insurance purchase requirement have a statutory responsibility to notify any transferee of the requirement to obtain and maintain flood insurance in writing and to maintain such written notification in the documents evidencing the transfer of the property, and the transferring owner may be liable if he or she fails to do so;
- ix. Projects must meet a Green and Resilient Building Standard, for: (i) All new construction and reconstruction of residential buildings and (ii) all rehabilitation activities of substantially damaged residential buildings, including changes to structural elements such as flooring systems, columns, or load-bearing interior or exterior walls. See the Construction Standards section in the previous chapter; and
- x. Project construction must be completed within 18 months of the effective date of the contract, unless otherwise extended.

5.2.4.1.6 Ineligible activities include:

- i. Buildings and facilities used for the general conduct of government defined as “city halls, county administrative buildings, State capitol or office buildings, or other facilities in which the legislative or general administrative affairs of the government are conducted. Such term does not include such facilities as neighborhood service centers or special purpose buildings located in low-and moderate-income areas that house various nonlegislative functions or services provided by government at decentralized locations” in section 102 of the Housing and Community Development Act of 1974;
- ii. Funds may not be provided to a for-profit entity for an economic development project under section 105(a)(17) of the HCDA unless such project has been evaluated and selected in accordance with guidelines developed by HUD pursuant to section 105(e)(2) of the HCDA for evaluating and selecting economic development projects;
- iii. No disaster recovery assistance will be considered with respect to any part of a disaster loss that is reimbursable by FEMA, the USACE, insurance, or another source due in part to the restrictions against duplication of benefits outlined in this action plan. An activity underway prior to the Presidential disaster declaration will not qualify unless the disaster directly impacted said project;
- iv. By law, (codified in the HCD Act as a note to 105(a)), the amount of CDBG–DR funds that may be contributed to a USACE project is \$250,000 or less; and
- v. If the property is purchased through the use of eminent domain, the ultimate use of that property may not benefit a particular private party and must be for a public use.

5.2.4.1.7 Program National Objective(s)

- i. Low- and moderate-income (LMI);
- ii. Urgent need (UN); and
- iii. Elimination of slum/blight (S/B).

An alternative urgent need national objective is in effect for a period of 36 months following the applicability date of the Allocation Announcement Notice of May 31, 2022 for 87 FR 31636 (May 24, 2022) and January 23, 2023 for 88 FR 3198 (January 18, 2023). After 36 months, the state will be required to follow the criteria established in section 104(b)(3) of the HCDA and its implementing regulations in 24 CFR part 570 when using the urgent need national objective for any new programs and/or added to an action plan. All activities, with the exception of rehabilitation, reconstruction, and new construction of affordable multifamily housing outlined in the eligible activities section above, will have to provide documentation on the 2021 Winter Storms impact if utilizing the urgent need national objective addressing the below factors:

- Urgency;
- Type;
- Scale; and
- Location.

The GLO will vet the documentation for each application prior to approval. The Hazard and Risk Assessment and Infrastructure Unmet Needs Sections outline the need for the urgent need national objective. The below eligible activities and FEMA community lifelines show the need for the potential use of the urgent need national objective under the 21WS HUD MID Counties Program:

- Infrastructure improvements (such as to water and sewer facilities, streets, provision of generators, removal of debris, bridges, etc.)
 - Water Systems
 - Transportation
- Communications infrastructure
 - Communications
- Public facilities
 - Food, Hydration, and Shelter
 - Health and Medical
 - Safety and Security
- Reconstruction, construction, and improvement of fire protection facilities
 - Health and Medical
 - Safety and Security
- As cited in 24 CFR 570.207(b)(1)(ii) as eligible under 24 CFR 570.201(c), fire protection equipment is considered, for this purpose, to be an integral part of a public facility. Thus, purchase of such equipment would be eligible under the category of Public Facilities and Improvements. This includes fire engines and specialized tools such as “jaws of life,” life-saving equipment, and protective clothing worn by fire fighters
 - Health and Medical
 - Safety and Security
- Emergency power generators permanently affixed to public facilities
 - Energy
 - Health and Medical
 - Water Systems
- Provision of public services within the 15 percent cap (e.g., housing counseling, legal counseling, job training, mental health, and general health services)
 - Food, Hydration, and Shelter
 - Health and Medical

5.2.4.1.8 AFFH Review

All proposed projects will undergo AFFH review by the applicant before GLO approval to ensure that use of CDBG-DR funds are consistent with AFFH obligations. Such review will include assessments of (1) a proposed project’s area demography, (2) socioeconomic characteristics, (3) housing configuration and needs, (4) educational, transportation, and health care opportunities, (5) environmental hazards or concerns, and (6) all other factors material to the AFFH determination.

5.2.4.1.9 Timeline

The program start date for the 2021 Winter Storms (21WS) HUD MID Counties Program was April 2026. The proposed end date is April 2030.

5.2.4.2 2021 Winter Storms (21WS) Fire Facilities and Protective Measures (FFPM) Program

The GLO will administer the 2021 Winter Storms (21WS) Fire Facilities and Protective Measures (FFPM) Program to address unmet infrastructure needs for Secondary MID areas across Texas.

Due to the limited funds, the needs for emergency protective measures within communities, and the extent of the 2021 Winter Storms impact across all 254 counties (251 counties which will be Secondary MID), the GLO will prioritize the reconstruction, construction, and improvement of fire protection facilities, the purchase of fire protection equipment as cited in 24 CFR 570.207(b)(1)(ii), and emergency power generators permanently affixed to public facilities as eligible under 24 CFR 570.201(c). This program is structured with a two-phased approach including a call for projects phase and an application phase.

5.2.4.2.1 Eligible Applicants

Cities, counties and Federally recognized Indian tribes in Secondary MID areas.

Because the cities of Dallas, Fort Worth, and Houston received direct allocations from HUD to support recovery in their jurisdictions, they are not eligible subrecipients for the FFPM program.

If an eligible entity is applying on behalf of another entity or entities (e.g., third party service provider, emergency service district, etc.) the GLO will require an interlocal agreement outlining the responsibilities between the applicant and the partnering entity or entities.

5.2.4.2.2 Distributions of Funds

Based on a thorough assessment of publicly available data on the Secondary MID areas, as well as data provided by FEMA and other sources, it was determined that the limited amount of CDBG-DR funds will be utilized for fire protection facilities, fire protection equipment, and emergency power generators permanently affixed to public facilities.

The GLO will hold a call for projects (phase 1) with each eligible entity permitted to submit a maximum of two eligible projects which will be priority ranked by the eligible entity. The GLO will then rank projects using the criteria defined in the Selection Criteria section below. This ranking list will be used to inform the invitations to apply through the application process (phase 2) by the GLO for projects within the funding range of the program budget. Following the application submission by the eligible entity, the project will be subject to a review of program eligibility requirements.

The GLO will not invite an entity to apply for funding for a second project until all entities with an eligible project scoring at least 50 points have been awarded funding once, depending on demand. Maximum and minimum awards per application:

- i. Minimum award: \$500,000
- ii. Maximum award: \$1,000,000

The GLO will consider reasonable exceptions for maximum awards when necessary to comply with federal accessibility standards or to reasonably accommodate persons with disabilities.

5.2.4.2.3 Selection Criteria

Applications will be selected based on the criteria below:

Criteria*	Maximum Points per Criteria
LMI National Objective	30 Points Possible
<i>Project meets the LMI national objective</i>	<i>30 Points</i>
<i>Project does not meet the LMI national objective</i>	<i>0 Points</i>
Total 2021 Winter Storms Damage per Capita (FEMA PA Categories B-G)	25 Points Possible
<i>More than \$20.00</i>	<i>25 Points</i>
<i>\$20.00 - \$5.01</i>	<i>20 Points</i>
<i>\$5.00 - \$2.51</i>	<i>15 Points</i>
<i>\$2.51 - \$1.00</i>	<i>10 Points</i>
<i>\$0.01- \$1.00</i>	<i>5 Points</i>
Social Vulnerability Index (SoVI)	15 Points Possible
<i>High</i>	<i>15 Points</i>
<i>Medium High</i>	<i>12 Points</i>
<i>Medium</i>	<i>9 Points</i>
<i>Medium Low</i>	<i>6 Points</i>
<i>Low</i>	<i>3 Points</i>
Leverage	10 Points Possible
<i>Entity has pledged to provide funds leverage (a minimum value of 10% of CDBG-DR funds requested)</i>	<i>10 Points</i>
<i>Entity has not pledged to provide funds leverage (a minimum value of 10% of CDBG-DR funds requested)</i>	<i>0 Points</i>
Total	80 Points Possible
Tie Breaker: Higher Poverty Rate	
*More details on scoring criteria will be available in the scoring methodology.	

5.2.4.2.4 Eligible Activities:

Activities allowed under CDBG-DR; HCDA Section 105(a)(1-2), 105(a)(4-5), 105(a)(7), 105(a)(9), 105(a)(11), and 105(a)(14), limited to:

- i. Reconstruction, construction, and improvement of fire protection facilities;

- ii. As cited in 24 CFR 570.207(b)(1)(ii) as eligible under 24 CFR 570.201(c), fire protection equipment is considered, for this purpose, to be an integral part of a public facility. Thus, purchase of such equipment would be eligible under the category of public facilities and improvements. This includes fire engines and specialized tools such as “jaws of life,” life-saving equipment, and protective clothing worn by fire fighters; and
- iii. Emergency power generators permanently affixed to public facilities.

5.2.4.2.5 Program National Objective(s)

- i. Low- and moderate-income (LMI); and
- ii. Urgent need (UN).

An alternative urgent need national objective is in effect for a period of 36 months following the applicability date of the Allocation Announcement Notice of May 31, 2022, for 87 FR 31636 (May 24, 2022) and January 23, 2023, for 88 FR 3198 (January 18, 2023). After 36 months, the state will be required to follow the criteria established in section 104(b)(3) of the HCDA and its implementing regulations in 24 CFR part 570 when using the urgent need national objective for any new programs and/or added to a action plan. All activities outlined in the eligible activities section above will have to provide documentation on the 2021 Winter Storms impact if utilizing the urgent need national objective addressing the below factors:

- Urgency;
- Type;
- Scale; and
- Location.

The GLO will vet the documentation for each application prior to approval. The Hazard and Risk Assessment and Infrastructure Unmet Needs sections outline the need for the urgent need national objective. The below eligible activities and FEMA community lifelines show the need for the potential use of the urgent need national objective under the 2021 Winter Storms (21WS) Fire Facilities and Protective Measures (FFPM) Program:

- Reconstruction, construction, and improvement of fire protection facilities
 - Health and Medical
 - Safety and Security
- As cited in 24 CFR 570.207(b)(1)(ii) as eligible under 24 CFR 570.201(c), fire protection equipment is considered, for this purpose, to be an integral part of a public facility. Thus, purchase of such equipment would be eligible under the category of Public Facilities and Improvements. This includes fire engines and specialized tools such as “jaws of life,” life-saving equipment, and protective clothing worn by fire fighters
 - Health and Medical
 - Safety and Security
- Emergency power generators permanently affixed to public facilities.
 - Energy
 - Health and Medical
 - Water Systems

5.2.4.2.6 AFFH Review

All proposed projects will undergo AFFH review by the applicant before GLO approval to ensure that use of CDBG – DR funds are consistent with AFFH obligations. Such review will include assessments of (1) a proposed project’s area demography; (2) socioeconomic characteristics; (3) housing configuration and needs; (4) educational, transportation, and health care opportunities; (5) environmental hazards or concerns; and (6) all other factors material to the AFFH determination.

5.2.4.2.7 Timeline

The proposed program start date for the 2021 Winter Storms (21WS) Fire Facilities and Protective Measures (FFPM) Program is six to eight months after HUD’s approval of Action Plan Amendment 1. The proposed end date is four years from the start date of the program.

5.2.5 Program Income

Any program income earned because of activities funded under this grant will be subject to alternate requirements of 24 CFR 570.489(e) as defined in the Notices, which define program income. Program income generated under individual contracts with the subrecipients will be returned to the GLO or subrecipients may transfer program income to its annual CDBG program before closing out of the grant. At the GLO’s discretion, program income may be allowed to remain with a community to continue recovery efforts.

5.2.6 Resale or Recapture

The GLO may recapture and be reimbursed for any payments, including those for any unapproved expenditures, that it makes to the subrecipient that exceed the maximum allowable rates; are not allowed under applicable laws, rules, or regulations; or are otherwise inconsistent with the subrecipient contract.

5.3 Program Details

5.3.1 Infrastructure Programs

5.3.1.1 Program Budget

2021 Winter Storms Total Allocation Budget						
Programs	HUD MID	Secondary MID	Total Allocation	LMI Amount	% of Total Allocation by Program	% of Total Allocation
21WS HUD MID Counties Program	\$ 24,768,000	\$ -	\$ 24,768,000	\$ 17,337,600	56.77%	69.81%
21WS HUD MID Counties Program: Mitigation Set-aside	\$ 5,691,000	\$ -	\$ 5,691,000	\$ 3,983,700	13.04%	
21WS Fire Facilities and Protective Measures (FFPM) Program	\$ -	\$ 7,500,000	\$ 7,500,000	\$ 5,250,000	17.19%	17.19%
Secondary MID Mitigation Set-aside	\$ -	\$ -	\$ -	\$ -	0.00%	
Project Delivery	\$ 1,047,840	\$ 261,960	\$ 1,309,800	\$ 916,860	3.00%	3.00%
State Planning	\$ 1,745,280	\$ 436,320	\$ 2,181,600	N/A	5.00%	5.00%
Administration	\$ 1,745,280	\$ 436,320	\$ 2,181,600	N/A	5.00%	5.00%
Total	\$ 34,997,400	\$ 8,634,600	\$ 43,632,000	\$ 27,488,160	100%	100%

5.3.1.2 2021 Winter Storms (21WS) HUD MID Counties Program

5.3.1.2.1 Program Description

The GLO will administer the 2021 Winter Storms (21WS) HUD MID Counties Program to address the unmet needs and impacts to populations across the HUD MID areas of Dallas, Harris, and Tarrant Counties. The GLO recognizes the widespread impact of the 2021 Winter Storms on rental multifamily housing. The GLO also recognizes the importance of local infrastructure and mitigation efforts as crucial components to support housing as part of a comprehensive long-term recovery program. This program has been designed to provide funds for rehabilitation, reconstruction, and new construction of public housing and affordable multifamily housing projects in the HUD MID areas impacted by the 2021 Winter Storms. The program has also been designed to provide funds for infrastructure needs in the HUD MID areas impacted by the 2021 Winter Storms. Overall, this program has been designed for necessary expenses for activities authorized under title I of the HCDA related to disaster relief, long-term recovery, restoration of infrastructure and affordable multifamily rental housing and mitigation of risk associated with activities carried out for these purposes.

Each HUD MID County must meet its mitigation set-aside amount to address current and future risks related to winter storms. The mitigation set-aside may be met by either incorporating mitigation activities as part of a project that addresses unmet disaster recovery needs related to the 2021 Winter Storms or as a stand-alone mitigation project to address current and future risk related to winter storms. Activities funded by the CDBG-DR mitigation set-aside do not require a “tie-back” to an impact from the 2021 Winter Storms.

5.3.1.2.2 Program Tieback to Disaster/Unmet Needs

This action plan primarily considers the impacts of the 2021 Winter Storms in Texas (DR-4586) and addresses those unmet needs outlined in the needs assessment related to rental multifamily housing, infrastructure, fire protection facilities, fire protection equipment, and mitigation efforts tied to severe winter storms. The 21WS HUD MID Counties Program addresses the rental multifamily housing and infrastructure-related unmet needs in eligible HUD MID areas impacted by the 2021 Winter Storms. Subrecipients must demonstrate a tie-back to the 2021 Winter Storms for both rental multifamily housing and infrastructure activities on activities outside of the HUD MID Mitigation Set-aside.

Due to the need and cost effectiveness of multifamily housing, given the limited amount of funds, it may be feasible for the HUD MID counties to use their allocation in the rehabilitation, reconstruction or construction of affordable multifamily rental housing. Infrastructure needs, particularly weatherizing critical infrastructure like water and electric utilities, also had an outstanding unmet need based on consultations and a statewide survey. Furthermore, stakeholder input received through the GLO-administered survey pointed to the need for funds to tackle damage to existing infrastructure and mitigating against future disasters related to winter storms. Additionally, fire protection facilities, fire protection equipment, and power generators activities will be eligible for this program.

5.3.1.2.3 How Program will Advance Long-Term Resilience

The 21WS HUD MID Counties Program will increase communities’ resilience to future winter storms disasters by reducing the loss of suffering and hardship and lessening the impact of future winter storms disasters by promoting resilient affordable multifamily housing and infrastructure in support of housing. The program will require the HUD MID counties to adhere to the mitigation set-aside amount of \$1,897,000 to address current and future risks related to winter storms. These funds will be used for “activities that increase resilience to disasters and reduce or eliminate the long-term risk of loss of life, injury, damage to and loss of property, and suffering and hardship, by lessening the impact of future disasters”, per HUD’s definition of mitigation. Therefore, this program allows HUD MID counties the flexibility to address their specific unmet needs resulting from the 2021 Winter Storms while also allowing them the ability to capitalize on the mitigation set-aside funds to enhance their disaster recovery projects or establish mitigation only activities which must address current and future risk related to winter storms.

The variety of eligible activities eligible under the mitigation portion of the allocation allows communities to address several FEMA Community Lifelines, each of which is described in the SHMP as impacted by severe winter weather and extreme cold.

In accordance with the fair housing requirements of 88 FR 3198 (January 18, 2023), the GLO will promote the availability of affordable multifamily housing in low-poverty, nonminority areas where appropriate by following to affirmatively furthering fair housing guidelines, while also responding to natural hazard-related impacts, the 2021 Winter Storms unmet needs of developments, and the mitigation needs tied to winter storms.

All proposed projects will undergo AFFH review by the applicant before GLO approval to ensure that use of CDBG-DR funds are consistent with AFFH obligations. Such review will include assessments of: (1) a proposed project's area demography; (2) socioeconomic characteristics; (3) housing configuration and needs; (4) educational, transportation, and health care opportunities; (5) environmental hazards or concerns; and (6) all other factors material to the AFFH determination.

5.3.1.2.4 How Program will Address Disaster-Related Storm Water Management/Other Systems

The 21WS HUD MID Counties Program will improve the resiliency of local infrastructure systems and affordable rental housing that were impacted by the 2021 Winter Storms in the HUD MID counties of Dallas, Harris, and Tarrant. The HUD MID counties will assess unmet needs, amount of funds available, eligible criteria, and LMI requirements in order to determine project selection. The variety of eligible activities for disaster recovery projects allows for the proper approach to addressing disaster-related winter storm systems and infrastructure in support of housing. Additionally, this program will allow for affordable multifamily housing projects that consider resilience and systems related to winter storms. This is further supported through the CDBG-DR mitigation set-aside allocation which allows communities to address a variety of FEMA's Community Lifelines tied to winter storms.

5.3.1.2.5 Program National Objectives

- i. Low- and moderate-income (LMI);
- ii. Urgent need (UN); and
- iii. Elimination of slum/blight (S/B).

An alternative urgent need national objective is in effect for a period of 36 months following the applicability date of the Allocation Announcement Notice of May 31, 2022 for 87 FR 31636 (May 24, 2022) and January 23, 2023 for 88 FR 3198 (January 18, 2023). After 36 months, the state will be required to follow the criteria established in section 104(b)(3) of the HCDA and its implementing regulations in 24 CFR part 570 when using the urgent need national objective for any new programs and/or added to a action plan. All activities, with the exception of rehabilitation, reconstruction, and new construction of affordable multifamily housing outlined in the eligible activities section above, will have to provide documentation on the 2021 Winter Storms impact if utilizing the urgent need national objective addressing the below factors:

- Urgency;
- Type;
- Scale; and
- Location.

The GLO will vet the documentation for each application prior to approval. The Hazard and Risk Assessment and Infrastructure Unmet Needs sections outline the need for the urgent need national objective. The below eligible activities and FEMA community lifelines show the need for the potential use of the urgent need national objective under the 21WS HUD MID Counties Program:

- Infrastructure improvements (such as water and sewer facilities, streets, provision of generators, removal of debris, bridges, etc.)
 - Water Systems
 - Transportation
- Communications infrastructure
 - Communications
- Public facilities
 - Food, Hydration, and Shelter
 - Health and Medical
 - Safety and Security
- Reconstruction, construction, and improvement of fire protection facilities
 - Health and Medical
 - Safety and Security
- As cited in 24 CFR 570.207(b)(1)(ii) as eligible under 24 CFR 570.201(c), fire protection equipment is considered, for this purpose, to be an integral part of a public facility. Thus, purchase of such equipment would be eligible under the category of Public Facilities and Improvements. This includes fire engines and specialized tools such as “jaws of life,” life-saving equipment, and protective clothing worn by fire fighters
 - Health and Medical
 - Safety and Security
- Emergency power generators permanently affixed to public facilities
 - Energy
 - Health and Medical
 - Water Systems
- Provision of public services within the 15 percent cap (e.g., housing counseling, legal counseling, job training, mental health, and general health services)
 - Food, Hydration, and Shelter
 - Health and Medical

5.3.1.2.6 Program Eligibility

Eligible Applicants

- Dallas County

- ii. Harris County
- iii. Tarrant County

Eligible Activities

Activities that are allowed under CDBG-DR funding are below and are related to disaster relief, long-term recovery, restoration of infrastructure and affordable multifamily rental housing, and mitigation in the HUD MID areas. All activities allowed under CDBG-DR; HCDA Section 105(a)(1-5), 105(a)(7-9), 105(a)(11), and 105(a)(14-15), including but not limited to:

- i. Rehabilitation, reconstruction, and new construction of affordable multifamily housing;
- ii. Infrastructure improvements (such as water and sewer facilities, streets, provision of generators, removal of debris, bridges, etc.);
- iii. Communications infrastructure;
- iv. Public facilities;
- v. Reconstruction, construction, and improvement of fire protection facilities;
- vi. As cited in 24 CFR 570.207(b)(1)(ii) as eligible under 24 CFR 570.201(c), fire protection equipment is considered, for this purpose, to be an integral part of a public facility. Thus, purchase of such equipment would be eligible under the category of Public Facilities and Improvements. This includes fire engines and specialized tools such as “jaws of life,” life-saving equipment, and protective clothing worn by fire fighters;
- vii. Emergency power generators permanently affixed to public facilities;
- viii. Provision of public services within the 15 percent cap (e.g., housing counseling, legal counseling, job training, mental health, and general health services); and
- ix. Cost share for CDBG-DR eligible projects and other payment of the non-Federal share required in connection with a Federal grant-in-aid programs.

The variety of eligible activities eligible under the mitigation portion of the allocation allows communities to address a number of FEMA’s Community Lifelines, each of which is described in the SHMP as impacted by severe winter weather and extreme cold.

Multifamily Eligibility Criteria:

- i. Development must meet CDBG-DR eligibility requirements;
- ii. Development must be located in a CDBG-DR HUD MID county;
- iii. Must demonstrate that the proposed development addresses rental unmet need from the 2021 Winter Storms (DR-4586);
- iv. A minimum of 51 percent of the units must be restricted for a minimum affordability period of fifteen (15) years for the rehabilitation or reconstruction of multifamily rental projects with five or more units, and a minimum affordability period of twenty (20) years for the new construction of multifamily rental units with five or more units for LMI individuals earning 80 percent or less of the AMFI at affordable rents. If a rental project that requires rehabilitation or reconstruction is subject to existing affordability requirements associated with other funding sources, the 15-year affordability period may run concurrently (or overlap) with the affordability requirements associated with such other funding;

- v. Projects with five (5) or more units must ensure construction costs are reasonable and consistent with market costs at the time and place of construction;
- vi. The affordable rents must comply with High HOME Rents and other existing Land Use Restriction Agreement (LURA) restrictions, if applicable;
- vii. Property Types: Multifamily rental development is five or more rental units under common ownership;
- viii. Property owners receiving disaster assistance that triggers the flood insurance purchase requirement have a statutory responsibility to notify any transferee of the requirement to obtain and maintain flood insurance in writing and to maintain such written notification in the documents evidencing the transfer of the property, and the transferring owner may be liable if he or she fails to do so;
- ix. Projects must meet a Green and Resilient Building Standard, for: (i) All new construction and reconstruction of residential buildings and (ii) all rehabilitation activities of substantially damaged residential buildings, including changes to structural elements such as flooring systems, columns, or load-bearing interior or exterior walls. See the Construction Standards section in the previous chapter; and
- x. Project construction must be completed within 18 months of the effective date of the contract, unless otherwise extended.

Ineligible activities include:

- i. Buildings and facilities used for the general conduct of government defined as “city halls, county administrative buildings, State capitol or office buildings, or other facilities in which the legislative or general administrative affairs of the government are conducted. Such term does not include such facilities as neighborhood service centers or special purpose buildings located in low- and moderate-income areas that house various nonlegislative functions or services provided by government at decentralized locations” in section 102 of the Housing and Community Development Act of 1974;
- ii. Funds may not be provided to a for-profit entity for an economic development project under section 105(a)(17) of the HCDA unless such project has been evaluated and selected in accordance with guidelines developed by HUD pursuant to section 105(e)(2) of the HCDA for evaluating and selecting economic development projects;
- iii. No disaster recovery assistance will be considered with respect to any part of a disaster loss that is reimbursable by FEMA, the USACE, insurance, or another source due in part to the restrictions against duplication of benefits outlined in this action plan. An activity underway prior to the Presidential disaster declaration will not qualify unless the disaster directly impacted said project;
- iv. By law, (codified in the HCD Act as a note to 105(a)), the amount of CDBG–DR funds that may be contributed to a USACE project is \$250,000 or less; and
- v. If the property is purchased through the use of eminent domain, the ultimate use of that property may not benefit a particular private party and must be for a public use.

Program Responsible Entity

The subrecipients of Dallas, Harris, and Tarrant counties are Responsible Entities for meeting environmental review requirements.

Program Maximum Assistance

\$10,153,000 per county

The GLO will consider reasonable exceptions for maximum awards when necessary to comply with federal accessibility standards or to reasonably accommodate persons with disabilities.

Program Estimated Begin and End Dates

The program start date for the 2021 Winter Storms (21WS) HUD MID Counties Program was April 2026. The proposed end date is April 2030.

5.3.1.2.7 Other Program Details

All proposed projects must:

- i. Promote sound, sustainable long-term recovery planning informed by a post-disaster evaluation of hazard risk, especially land-use decisions that reflect responsible floodplain management and take into account future possible extreme weather events and other natural hazards and long-term risks;
- ii. Coordinate with local and regional planning efforts to ensure consistency and promote community-level and/or regional (e.g., multiple local jurisdictions) post disaster recovery and mitigation planning;
- iii. Integrate mitigation measures into rebuilding activities and achieve objectives outlined in regionally or locally established plans and policies that are designed to reduce future risk to the jurisdiction;
- iv. Consider the costs and benefits of the project;
- v. Ensure that activities will avoid disproportionate impact on vulnerable populations such as, but not limited to, families and individuals that are homeless or at risk of homelessness, the elderly, persons with disabilities, persons with alcohol or other drug addiction, persons with HIV/AIDS and their families, and public housing residents;
- vi. Align investments with other planned state or local capital improvements and infrastructure development efforts, and work to foster the potential for additional infrastructure funding from multiple sources, including existing state and local capital improvement projects in planning, and potential private investment;
- vii. Employ adaptable and reliable technologies to guard against premature obsolescence of infrastructure;
- viii. Identify and implement resilient performance metrics as outlined in section II.A.2.c of the consolidated notice 87 FR 6364 (February 3, 2022); and

- ix. Cost Verification Controls must be in place to ensure that construction costs are reasonable and consistent with market costs at the time and place of construction.

Nonresidential structures, including infrastructure, assisted with CDBG–DR funds must be elevated to the standards described in this paragraph or floodproofed, in accordance with FEMA floodproofing standards at 44 CFR 60.3(c)(3)(ii) or successor standard, up to at least two feet above the 100-year (or one percent annual chance) floodplain. All Critical Actions, as defined at 24 CFR 55.2(b)(3), within the 500-year (or 0.2 percent annual chance) floodplain must be elevated or floodproofed (in accordance with FEMA floodproofing standards at 44 CFR 60.3(c)(2)– (3) or successor standard) to the higher of the 500-year floodplain elevation or three feet above the 100-year floodplain elevation. If the 500-year floodplain or elevation is unavailable, and the Critical Action is in the 100-year floodplain, then the structure must be elevated or floodproofed at least three feet above the 100-year floodplain elevation. Activities subject to elevation requirements must comply with applicable federal accessibility mandates.

The following elevation standards apply to new construction, rehabilitation of substantial damage, or rehabilitation resulting in substantial improvement of residential structures located in an area delineated as a special flood hazard area or equivalent in FEMA’s data sources. 24 CFR 55.2(b)(1) provides additional information on data sources, which apply to all floodplain designations. All structures, defined at 44 CFR 59.1, designed principally for residential use, and located in the one percent annual chance (or 100-year) floodplain, that receive assistance for new construction, reconstruction, rehabilitation of substantial damage, or rehabilitation that results in substantial improvement, as defined at 24 CFR 55.2(b)(10), must be elevated with the lowest floor, including the basement, at least two feet above the one percent annual chance floodplain elevation (base flood elevation). Mixed-use structures with no dwelling units and no residents below two feet above base flood elevation, must be elevated or floodproofed, in accordance with FEMA floodproofing standards at 44 CFR 60.3(c)(3)(ii) or successor standard, up to at least two feet above base flood elevation.

All Critical Actions, as defined at 24 CFR 55.2(b)(3), within the 500-year (or 0.2 percent annual chance) floodplain must be elevated or floodproofed (in accordance with FEMA floodproofing standards at 44 CFR 60.3(c)(2)– (3) or successor standard) to the higher of the 500-year floodplain elevation or three feet above the 100-year floodplain elevation. If the 500-year floodplain is unavailable, and the Critical Action is in the 100-year floodplain, then the structure must be elevated or floodproofed (in accordance with FEMA floodproofing standards at 44 CFR 60.3(c)(2)–(3) or successor standard) at least three feet above the 100-year floodplain elevation. Critical Actions are defined as “any activity for which even a slight chance of flooding would be too great, because such flooding might result in loss of life, injury to persons or damage to property.” For example, Critical Actions include hospitals, nursing homes, emergency shelters, police stations, fire stations, and principal utility lines.

Mitigation only projects must:

- i. Meet the HUD definition of mitigation as “those activities that increase resilience to disasters and reduce or eliminate the long-term risk of loss of life, injury, damage to and loss of property, and suffering and hardship, by lessening the impact of future disasters.”;
- ii. Be CDBG-eligible activities under Title I of the HCDA or otherwise eligible pursuant to a waiver or alternative requirement;
- iii. Address the current and future risks of winter storms; and
- iv. Meet a national objective;

Multifamily Resiliency:

Multifamily resiliency solutions add 15 to 20 percent to the total cost per project; and infrastructure resiliency solutions add 15 to 20 percent to the total cost per project. Resiliency solutions are varied and dependent on the respective area’s Threat and Hazard Identification and Risk Assessment as well as hazards that have been covered in the mitigation needs assessment and the SHMP. For this program, resiliency and mitigation will be carried out through the mitigation set-aside funds in the amount of \$5,691,000 split evenly across the three HUD MID counties. These counties will be able to capitalize on the mitigation set-aside funds to enhance their disaster recovery projects or establish mitigation only activities which must address current and future risk related to winter storms.

Multifamily resiliency solutions include but are not limited to (1) elevation; (2) retention basins; (3) fire-safe landscaping; (4) firewalls; and (5) landscaped floodwalls. In the instance of elevating a first floor of a habitable area, single family units and multifamily dwellings must meet accessibility requirements and visitability standards as defined in the GLO housing guidelines.

AFFH Review:

The GLO and subrecipients are required to use CDBG–DR funds in a manner that complies with their fair housing and nondiscrimination obligations. The GLO will ensure subrecipients meet these obligations.

Subrecipients may find AFFH requirements and monitoring details in GLO’s Implementation Manual and other program guidance documents for further details on the GLO website. Additionally, recordkeeping requirements may be found at 24 CFR 570.506 and 24 CFR 570.490(b).

All proposed projects will undergo AFFH review by the applicant before GLO approval to ensure that use of CDBG – DR funds are consistent with AFFH obligations. Such review will include assessments of: (1) a proposed project’s area demography; (2) socioeconomic characteristics; (3) housing configuration and needs; (4) educational, transportation, and health care opportunities; (5) environmental hazards or concerns; and (6) all other factors material to the AFFH determination.

Program Method of Distribution Description/Overview:

Based on a thorough assessment of publicly available data on the HUD MID areas, as well as data provided by FEMA and other sources, it was determined that the program will award funding equally to the eligible HUD MID counties as noted below:

- i. Dallas County: \$10,153,000 (inclusive of a mitigation set-aside allocation of \$1,897,000)
- ii. Harris County: \$10,153,000 (inclusive of a mitigation set-aside allocation of \$1,897,000)
- iii. Tarrant County: \$10,153,000 (inclusive of a mitigation set-aside allocation of \$1,897,000)

Each HUD MID county must meet its mitigation set-aside amount to address current and future risks related to winter storms met by either incorporating mitigation activities as part of a project that address unmet disaster recovery need related to the 2021 Winter Storms or as a stand-alone mitigation project.

How Mitigation Set-Aside Activities will Meet Definition of Mitigation?:

Each HUD MID county must meet its mitigation set-aside amount to address current and future risk related to winter storms met by either incorporating mitigation activities as part of a project that addresses unmet disaster recovery need related to the 2021 Winter Storms or as a stand-alone mitigation project.

How Mitigation Set-Aside Activities will Address Current & Future Risks?:

All mitigation activities funded through the program will increase resilience to disasters or eliminate the long-term risk of loss of life, injury, damage to and loss of property, and suffering and hardship by lessening the impact of future disasters. The GLO will ensure activities meet HUD's definition of mitigation as "those activities that increase resilience to disasters and reduce or eliminate the long-term risk of loss of life, injury, damage to and loss of property, and suffering and hardship, by lessening the impact of future disasters" by ensuring that subrecipients address this component in their applications for funding in the program.

5.3.1.3 2021 Winter Storms (21WS) Fire Facilities and Protective Measures (FFPM) Program

5.3.1.3.1 Program Description

The GLO recognizes that as part of a comprehensive long-term recovery program, the repair and enhancements of public facilities and power generation capabilities are crucial components. Considering the limited CDBG-DR funding, the needs for emergency protective measures within communities, and the extent of the 2021 Winter Storms, this program will prioritize fire protection facilities, fire protection equipment, as cited in 24 CFR 570.207(b)(1)(ii) and emergency power generators permanently affixed to public facilities as eligible under 24 CFR 570.201(c). Fire

protection facilities are critical services vital for the restoration and viability of communities impacted by winter storms in Texas. The 2021 Winter Storms (21WS) Fire Facilities and Protective Measures (FFPM) Program will provide disaster relief, long-term recovery, and restoration of fire protection facilities for Secondary MID counties impacted by the 2021 Winter Storms. This program is structured with a two-phased approach including a call for projects phase and an application phase.

Depending on demand, no applicant will be invited to apply for their second application until all entities with an eligible project scoring at least 50 points have been invited to apply once.

5.3.1.3.2 Program Tieback to Disaster/Unmet Needs

This program addresses unmet fire protection facilities and protective measures needs in Secondary MID areas impacted by the 2021 Winter Storms (DR-4586). Subrecipients must demonstrate a tie-back to the 2021 Winter Storms for all activities.

5.3.1.3.3 How Program will Advance Long-Term Resilience

The 2021 Winter Storms (21WS) Fire Facilities and Protective Measures (FFPM) Program will increase communities' resilience to future natural disasters by reducing suffering and hardship and lessening the impact of future natural disasters by promoting effective and supportive fire facilities and protective measures tied to the impacts of severe winter storms. The program will also allow for the recovery of fire protection facilities and allow for improvements and equipment, while also allowing for power generator needs that are essential during winter storm events.

5.3.1.3.4 How Program will Address Disaster-Related Storm Water Management and Other Systems

The program will improve the resiliency of local disaster response services by investing in the recovery and improvement of fire protection facilities, fire protection equipment, and emergency power generators permanently affixed to public facilities.

5.3.1.3.5 Program National Objectives

- i. Low- and moderate-income (LMI); and
- ii. Urgent need (UN).

An alternative urgent need national objective is in effect for a period of 36 months following the applicability date of the Allocation Announcement Notice of May 31, 2022, for 87 FR 31636 (May 24, 2022) and January 23, 2023, for 88 FR 3198 (January 18, 2023). After 36 months, the state will be required to follow the criteria established in section 104(b)(3) of the HCDA and its implementing regulations in 24 CFR part 570 when using the urgent need national objective for any new programs and/or added to an action plan. All activities outlined in the eligible activities section above will have to provide documentation on the 2021 Winter Storms impact if utilizing the urgent need national objective addressing the below factors:

- Urgency;
- Type;
- Scale; and
- Location.

The GLO will vet the documentation for each application prior to approval. The Hazard and Risk Assessment and Infrastructure Unmet Needs sections outline the need for the urgent need national objective. The below eligible activities and FEMA community lifelines show the need for the potential use of the urgent need national objective under the 2021 Winter Storms (21WS) Fire Facilities and Protective Measures (FFPM) Program:

- Reconstruction, construction, and improvement of fire protection facilities
 - Health and Medical
 - Safety and Security
- As cited in 24 CFR 570.207(b)(1)(ii) as eligible under 24 CFR 570.201(c), fire protection equipment is considered, for this purpose, to be an integral part of a public facility. Thus, purchase of such equipment would be eligible under the category of Public Facilities and Improvements. This includes fire engines and specialized tools such as “jaws of life,” life-saving equipment, and protective clothing worn by fire fighters
 - Health and Medical
 - Safety and Security
- Emergency power generators permanently affixed to public facilities.
 - Energy
 - Health and Medical
 - Water Systems

5.3.1.3.6 Program Eligibility

Eligible Applicants

Cities, counties and Federally recognized Indian tribes in Secondary MID areas.

Because the cities of Dallas, Fort Worth, and Houston received direct allocations from HUD to support recovery in their jurisdictions, they are not eligible subrecipients for the FFPM program.

If an eligible entity is applying on behalf of another entity or entities (e.g., third party service provider, emergency service district, etc.) the GLO will require an interlocal agreement outlining the responsibilities between the applicant and the partnering entity or entities.

Eligible Activities:

Activities allowed under CDBG-DR; HCDA Section 105(a)(1-2), 105(a)(4-5), 105(a)(7), 105(a)(9), 105(a)(11), and 105(a)(14), limited to:

- Reconstruction, construction, and improvement of fire protection facilities;

- ii. As cited in 24 CFR 570.207(b)(1)(ii) as eligible under 24 CFR 570.201(c), fire protection equipment is considered, for this purpose, to be an integral part of a public facility. Thus, purchase of such equipment would be eligible under the category of public facilities and improvements. This includes fire engines and specialized tools such as “jaws of life,” life-saving equipment, and protective clothing worn by fire fighters; and
- iii. Emergency power generators permanently affixed to public facilities.

Ineligible Activities:

- i. Funds may not be provided to a for-profit entity for an economic development project under section 105(a)(17) of the HCDA unless such project has been evaluated and selected in accordance with guidelines developed by HUD pursuant to section 105(e)(2) of the HCDA for evaluating and selecting economic development projects;
- ii. Buildings and facilities used for the general conduct of government defined as “city halls, county administrative buildings, State capitol or office buildings, or other facilities in which the legislative or general administrative affairs of the government are conducted. Such term does not include such facilities as neighborhood service centers or special purpose buildings located in low- and moderate-income areas that house various nonlegislative functions or services provided by government at decentralized locations” in section 102 of the Housing and Community Development Act of 1974;
- iii. No disaster recovery assistance will be considered with respect to any part of a disaster loss that is reimbursable by FEMA, the USACE, insurance, or another source due in part to the restrictions against duplication of benefits outlined in this action plan. An activity underway prior to the Presidential disaster declaration will not qualify unless the disaster directly impacted said project;
- iv. By law, (codified in the HCD Act as a note to 105(a)), the amount of CDBG–DR funds that may be contributed to a USACE project is \$250,000 or less; and
- v. If the property is purchased through the use of eminent domain, the ultimate use of that property may not benefit a particular private party and must be for a public use.

Program Responsible Entity

The cities, counties, or Federally recognized Indian tribes are the Responsible Entities for meeting environmental review requirements.

Program Maximum Assistance

- i. Minimum Award: \$500,000
- ii. Maximum award: \$1,000,000

The GLO will consider reasonable exceptions for maximum awards when necessary to comply with federal accessibility standards or to reasonably accommodate persons with disabilities.

Program Estimated Begin and End Dates

The proposed program start date for the 2021 Winter Storms (21WS) Fire Facilities and Protective Measures (FFPM) Program is six to eight months after HUD's approval of Action Plan Amendment 1. The proposed end date is four years from the start date of the program.

5.3.1.3.7 Other Program Details

All proposed projects must:

- i. Promote sound, sustainable long-term recovery planning informed by a post-disaster evaluation of hazard risk, especially land-use decisions that reflect responsible floodplain management and take into account future possible extreme weather events and other natural hazards and long-term risks;
- ii. Coordinate with local and regional planning efforts to ensure consistency and promote community-level and/or regional (e.g., multiple local jurisdictions) post disaster recovery and mitigation planning;
- iii. Integrate mitigation measures into rebuilding activities and achieve objectives outlined in regionally or locally established plans and policies that are designed to reduce future risk to the jurisdiction;
- iv. Consider the costs and benefits of the project;
- v. Ensure that activities will avoid disproportionate impact on vulnerable populations such as, but not limited to, families and individuals that are homeless or at risk of homelessness, the elderly, persons with disabilities, persons with alcohol or other drug addiction, persons with HIV/AIDS and their families, and public housing residents;
- vi. Align investments with other planned state or local capital improvements and infrastructure development efforts, and work to foster the potential for additional infrastructure funding from multiple sources, including existing state and local capital improvement projects in planning, and potential private investment;
- vii. Employ adaptable and reliable technologies to guard against premature obsolescence of infrastructure;
- viii. Identify and implement resilient performance metrics as outlined in section II.A.2.c of the consolidated notice 87 FR 6364 (February 3, 2022); and
- ix. Cost Verification Controls must be in place to ensure that construction costs are reasonable and consistent with market costs at the time and place of construction.

Nonresidential structures, including infrastructure, assisted with CDBG-DR funds must be elevated to the standards described in this paragraph or floodproofed, in accordance with FEMA floodproofing standards at 44 CFR 60.3(c)(3)(ii) or successor standard, up to at least two feet above the 100-year (or one percent annual chance) floodplain. All Critical Actions, as defined at 24 CFR 55.2(b)(3), within the 500-year (or 0.2 percent annual chance) floodplain must be elevated or floodproofed (in accordance with FEMA floodproofing standards at 44 CFR 60.3(c)(2)– (3) or successor standard) to the higher of the 500-year floodplain elevation or three feet above the 100-year floodplain elevation. If the 500-year floodplain or elevation is unavailable, and the Critical

Action is in the 100-year floodplain, then the structure must be elevated or floodproofed at least three feet above the 100-year floodplain elevation. Activities subject to elevation requirements must comply with applicable federal accessibility mandates.

Critical Actions are defined as “any activity for which even a slight chance of flooding would be too great, because such flooding might result in loss of life, injury to persons or damage to property.” For example, Critical Actions include hospitals, nursing homes, emergency shelters, police stations, fire stations, and principal utility lines.

AFFH Review:

The GLO and subrecipients are required to use CDBG – DR funds in a manner that complies with their fair housing and nondiscrimination obligations. The GLO will ensure subrecipients meet these obligations.

Subrecipients may find AFFH requirements and monitoring details in GLO’s Implementation Manual and other program guidance documents for further details on the GLO website. Additionally, recordkeeping requirements may be found at 24 CFR 570.506 and 24 CFR 570.490(b).

All proposed projects will undergo AFFH review by the applicant before GLO approval to ensure that use of CDBG-DR funds are consistent with AFFH obligations. Such review will include assessments of: (1) a proposed project’s area demography; (2) socioeconomic characteristics; (3) housing configuration and needs; (4) educational, transportation, and health care opportunities; (5) environmental hazards or concerns; and (6) all other factors material to the AFFH determination.

Program Competitive Application Overview

The GLO will hold a call for projects (phase 1) with each eligible entity permitted to submit a maximum of two eligible projects which will be priority ranked by the eligible entity. The GLO will then rank projects using the criteria defined in the Selection Criteria section below. This ranking list will be used to inform the invitations to apply through the application process (phase 2) by the GLO for projects within the funding range of the program budget. Following the application submission by the eligible entity, the project will be subject to a review of program eligibility requirements.

The GLO will not invite an entity to apply for funding for a second project until all entities with an eligible project scoring at least 50 points have been awarded funding once, depending on demand. Maximum and minimum awards per application:

- i. Minimum award: \$500,000
- ii. Maximum award: \$1,000,000

Selection Criteria

Applications will be selected based on the criteria below:

Criteria*	Maximum Points per Criteria
LMI National Objective	30 Points Possible
<i>Project meets the LMI national objective</i>	<i>30 Points</i>
<i>Project does not meet the LMI national objective</i>	<i>0 Points</i>
Total 2021 Winter Storms Damage per Capita (FEMA PA Categories B-G)	25 Points Possible
<i>More than \$20.00</i>	<i>25 Points</i>
<i>\$20.00 - \$5.01</i>	<i>20 Points</i>
<i>\$5.00 - \$2.51</i>	<i>15 Points</i>
<i>\$2.51 - \$1.00</i>	<i>10 Points</i>
<i>\$0.01- \$1.00</i>	<i>5 Points</i>
Social Vulnerability Index (SoVI)	15 Points Possible
<i>High</i>	<i>15 Points</i>
<i>Medium High</i>	<i>12 Points</i>
<i>Medium</i>	<i>9 Points</i>
<i>Medium Low</i>	<i>6 Points</i>
<i>Low</i>	<i>3 Points</i>
Leverage	10 Points Possible
<i>Entity has pledged to provide funds leverage (a minimum value of 10% of CDBG-DR funds requested)</i>	<i>10 Points</i>
<i>Entity has not pledged to provide funds leverage (a minimum value of 10% of CDBG-DR funds requested)</i>	<i>0 Points</i>
Total	80 Points Possible
Tie Breaker: Higher Poverty Rate	
*More details on scoring criteria will be available in the scoring methodology.	

6. Appendix

6.1 Certifications

- a. The grantee certifies that it has in effect and is following a residential anti-displacement and relocation assistance plan (RARAP) in connection with any activity assisted with CDBG–DR grant funds that fulfills the requirements of Section 104(d), 24 CFR part 42, and 24 CFR part 570, as amended by waivers and alternative requirements.
- b. The grantee certifies its compliance with restrictions on lobbying required by 24 CFR part 87, together with disclosure forms, if required by part 87.
- c. The grantee certifies that the action plan for disaster recovery is authorized under state and local law (as applicable) and that the grantee, and any entity or entities designated by the grantee, and any contractor, subrecipient, or designated public agency carrying out an activity with CDBG–DR funds, possess(es) the legal authority to carry out the program for which it is seeking funding, in accordance with applicable HUD regulations as modified by waivers and alternative requirements.
- d. The grantee certifies that activities to be undertaken with CDBG–DR funds are consistent with its action plan.
- e. The grantee certifies that it will comply with the acquisition and relocation requirements of the URA, as amended, and implementing regulations at 49 CFR part 24, as such requirements may be modified by waivers or alternative requirements.
- f. The grantee certifies that it will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and implementing regulations at 24 CFR part 75.
- g. The grantee certifies that it is following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.115 or 91.105 (except as provided for in waivers and alternative requirements). Also, each local government receiving assistance from a state grantee must follow a detailed citizen participation plan that satisfies the requirements of 24 CFR 570.486 (except as provided for in waivers and alternative requirements).
- h. State grantee certifies that it has consulted with all disaster-affected local governments (including any CDBG entitlement grantees), Federally recognized Indian tribes, and any local public housing authorities in determining the use of funds, including the method of distribution of funding, or activities carried out directly by the state.
- i. The grantee certifies that it is complying with each of the following criteria:
 1. Funds will be used solely for necessary expenses related to disaster relief, long-term recovery, restoration of infrastructure and housing, economic revitalization, and mitigation in the most impacted and distressed areas for which the President declared a major disaster pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1974 (42 U.S.C. 5121 et seq.).
 2. With respect to activities expected to be assisted with CDBG–DR funds, the Action Plan has been developed so as to give the maximum feasible priority to activities that will benefit low- and moderate-income families.

3. The aggregate use of CDBG–DR funds shall principally benefit low- and moderate-income families in a manner that ensures that at least 70 percent (or another percentage permitted by HUD in a waiver) of the grant amount is expended for activities that benefit such persons.
4. The grantee will not attempt to recover any capital costs of public improvements assisted with CDBG–DR grant funds, by assessing any amount against properties owned and occupied by persons of low- and moderate-income, including any fee charged or assessment made as a condition of obtaining access to such public improvements, unless:
 - a. Disaster recovery grant funds are used to pay the proportion of such fee or assessment that relates to the capital costs of such public improvements that are financed from revenue sources other than under this title; or
 - b. for purposes of assessing any amount against properties owned and occupied by persons of moderate income, the grantee certifies to the Secretary that it lacks sufficient CDBG funds (in any form) to comply with the requirements of clause (a).
- j. State and local government grantees certify 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), the Fair Housing Act (42 U.S.C. 3601–3619), and implementing regulations, and that it will affirmatively further fair housing. An Indian tribe grantee certifies that the grant will be conducted and administered in conformity with the Indian Civil Rights Act.
- k. The grantee certifies that it has adopted and is enforcing the following policies, and, in addition, state grantees must certify that they will require local governments that receive their grant funds to certify that they have adopted and are enforcing: (1) A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations; and (2) A policy of enforcing applicable state and local laws against physically barring entrance to or exit from a facility or location that is the subject of such nonviolent civil rights demonstrations within its jurisdiction.
- l. The grantee certifies that it (and any subrecipient or administering entity) currently has or will develop and maintain the capacity to carry out disaster recovery activities in a timely manner and that the grantee has reviewed the requirements applicable to the use of grant funds.
- m. The grantee certifies to the accuracy of its Financial Management and Grant Compliance Certification Requirements, or other recent certification submission, if approved by HUD, and related supporting documentation as provided in section III.A.1. of the Consolidated Notice and the grantee’s implementation plan and related submissions to HUD as provided in section III.A.2. of the Consolidated Notice.
- n. The grantee certifies that it will not use CDBG–DR funds for any activity in an area identified as flood prone for land use or hazard mitigation planning purposes by the state, local, or tribal government or delineated as a Special Flood Hazard Area (or 100-year floodplain) in FEMA’s most current flood advisory maps, unless it also ensures that the action is designed or modified to minimize harm to or within the floodplain, in accordance

with Executive Order 11988 and 24 CFR part 55. The relevant data source for this provision is the state, local, and tribal government land use regulations and hazard mitigation plans and the latest-issued FEMA data or guidance, which includes advisory data (such as Advisory Base Flood Elevations) or preliminary and final Flood Insurance Rate Maps.

- o. The grantee certifies that its activities concerning lead-based paint will comply with the requirements of 24 CFR part 35, subparts A, B, J, K, and R.
- p. The grantee certifies that it will comply with environmental requirements at 24 CFR part 58.
- q. The grantee certifies that it will comply with the provisions of title I of the HCDA and with other applicable laws.

Warning: Any person who knowingly makes a false claim or statement to HUD may be subject to civil or criminal penalties under 18 U.S.C. 287, 1001, and 31 U.S.C. 3729.

6.2 Waivers (if applicable)

The Appropriations Act(s) authorizes the Secretary of HUD to waive or specify alternative requirements for any provision of any statute or regulation. For each waiver and alternative requirement, the Secretary of HUD has determined that good cause exists, and the waiver or alternative requirement is not inconsistent with the overall purpose of the HCD Act. The waivers and alternative requirement provide flexibility to support full and swift recovery. Waivers cannot conflict with cross-cutting requirements of:

- Equal Opportunity
- Fair Housing
- Environmental Review
- Davis Bacon Labor Standards

6.3 Projected Expenditures and Outcomes

6.3.1 Program Expenditures

2021 Winter Storms (21WS) HUD MID Counties Program					
Grant Number	Period	Quarterly Projection	Quarterly Actual	Cumulative Projection	Cumulative Actual
P-21-TX-48-LDZ1	10/1/2025	\$0.00	\$0.00	\$0.00	\$0.00
P-21-TX-48-LDZ1	1/1/2026	\$0.00	\$0.00	\$0.00	\$0.00
P-21-TX-48-LDZ1	4/1/2026	\$0.00	\$0.00	\$0.00	\$0.00
P-21-TX-48-LDZ1	7/1/2026	\$0.00	\$0.00	\$0.00	\$0.00
P-21-TX-48-LDZ1	10/1/2026	\$0.00	\$0.00	\$0.00	\$0.00
P-21-TX-48-LDZ1	1/1/2027	\$0.00	\$0.00	\$0.00	\$0.00
P-21-TX-48-LDZ1	4/1/2027	\$0.00	\$0.00	\$0.00	\$0.00
P-21-TX-48-LDZ1	7/1/2027	\$138,828.43	\$0.00	\$138,828.43	\$0.00
P-21-TX-48-LDZ1	10/1/2027	\$484,558.85	\$0.00	\$623,387.28	\$0.00
P-21-TX-48-LDZ1	1/1/2028	\$1,317,167.51	\$0.00	\$1,940,554.79	\$0.00
P-21-TX-48-LDZ1	4/1/2028	\$2,788,443.64	\$0.00	\$4,728,998.43	\$0.00
P-21-TX-48-LDZ1	7/1/2028	\$4,597,366.34	\$0.00	\$9,326,364.77	\$0.00
P-21-TX-48-LDZ1	10/1/2028	\$5,903,135.23	\$0.00	\$15,229,500.00	\$0.00
P-21-TX-48-LDZ1	1/1/2029	\$5,903,135.23	\$0.00	\$21,132,635.23	\$0.00
P-21-TX-48-LDZ1	4/1/2029	\$4,597,366.34	\$0.00	\$25,730,001.57	\$0.00
P-21-TX-48-LDZ1	7/1/2029	\$2,788,443.64	\$0.00	\$28,518,445.21	\$0.00
P-21-TX-48-LDZ1	10/1/2029	\$1,317,167.51	\$0.00	\$29,835,612.72	\$0.00
P-21-TX-48-LDZ1	1/1/2030	\$484,558.85	\$0.00	\$30,320,171.57	\$0.00
P-21-TX-48-LDZ1	4/1/2030	\$138,828.43	\$0.00	\$30,459,000.00	\$0.00
P-21-TX-48-LDZ1	7/1/2030	\$0.00	\$0.00	\$30,459,000.00	\$0.00
P-21-TX-48-LDZ1	10/1/2030	\$0.00	\$0.00	\$30,459,000.00	\$0.00
P-21-TX-48-LDZ1	1/1/2031	\$0.00	\$0.00	\$30,459,000.00	\$0.00
P-21-TX-48-LDZ1	4/1/2031	\$0.00	\$0.00	\$30,459,000.00	\$0.00
P-21-TX-48-LDZ1	7/1/2031	\$0.00	\$0.00	\$30,459,000.00	\$0.00
P-21-TX-48-LDZ1	10/1/2031	\$0.00	\$0.00	\$30,459,000.00	\$0.00

Fire Facilities and Protective Measures (FFPM) Program

Grant Number	Period	Quarterly Projection	Quarterly Actual	Cumulative Projection	Cumulative Actual
P-21-TX-48-LDZ1	10/1/2025	\$0.00	\$0.00	\$0.00	\$0.00
P-21-TX-48-LDZ1	1/1/2026	\$0.00	\$0.00	\$0.00	\$0.00
P-21-TX-48-LDZ1	4/1/2026	\$0.00	\$0.00	\$0.00	\$0.00
P-21-TX-48-LDZ1	7/1/2026	\$0.00	\$0.00	\$0.00	\$0.00
P-21-TX-48-LDZ1	10/1/2026	\$0.00	\$0.00	\$0.00	\$0.00
P-21-TX-48-LDZ1	1/1/2027	\$0.00	\$0.00	\$0.00	\$0.00
P-21-TX-48-LDZ1	4/1/2027	\$0.00	\$0.00	\$0.00	\$0.00
P-21-TX-48-LDZ1	7/1/2027	\$34,184.09	\$0.00	\$34,184.09	\$0.00
P-21-TX-48-LDZ1	10/1/2027	\$119,314.20	\$0.00	\$153,498.30	\$0.00
P-21-TX-48-LDZ1	1/1/2028	\$324,329.63	\$0.00	\$477,827.93	\$0.00
P-21-TX-48-LDZ1	4/1/2028	\$686,605.84	\$0.00	\$1,164,433.77	\$0.00
P-21-TX-48-LDZ1	7/1/2028	\$1,132,021.65	\$0.00	\$2,296,455.42	\$0.00
P-21-TX-48-LDZ1	10/1/2028	\$1,453,544.58	\$0.00	\$3,750,000.00	\$0.00
P-21-TX-48-LDZ1	1/1/2029	\$1,453,544.58	\$0.00	\$5,203,544.58	\$0.00
P-21-TX-48-LDZ1	4/1/2029	\$1,132,021.65	\$0.00	\$6,335,566.23	\$0.00
P-21-TX-48-LDZ1	7/1/2029	\$686,605.84	\$0.00	\$7,022,172.07	\$0.00
P-21-TX-48-LDZ1	10/1/2029	\$324,329.63	\$0.00	\$7,346,501.70	\$0.00
P-21-TX-48-LDZ1	1/1/2030	\$119,314.20	\$0.00	\$7,465,815.91	\$0.00
P-21-TX-48-LDZ1	4/1/2030	\$34,184.09	\$0.00	\$7,500,000.00	\$0.00
P-21-TX-48-LDZ1	7/1/2030	\$0.00	\$0.00	\$7,500,000.00	\$0.00
P-21-TX-48-LDZ1	10/1/2030	\$0.00	\$0.00	\$7,500,000.00	\$0.00
P-21-TX-48-LDZ1	1/1/2031	\$0.00	\$0.00	\$7,500,000.00	\$0.00
P-21-TX-48-LDZ1	4/1/2031	\$0.00	\$0.00	\$7,500,000.00	\$0.00
P-21-TX-48-LDZ1	7/1/2031	\$0.00	\$0.00	\$7,500,000.00	\$0.00
P-21-TX-48-LDZ1	10/1/2031	\$0.00	\$0.00	\$7,500,000.00	\$0.00

6.3.2 Program Outcomes

2021 Winter Storms (21WS) HUD MID Counties Program					
Period	Performance Measure	Quarterly Projection	Quarterly Actual	Cumulative Projection	Cumulative Actual
10/1/2025	# of public facilities	0	0	0	0
1/1/2026	# of public facilities	0	0	0	0
4/1/2026	# of public facilities	0	0	0	0
7/1/2026	# of public facilities	0	0	0	0
10/1/2026	# of public facilities	0	0	0	0
1/1/2027	# of public facilities	0	0	0	0
4/1/2027	# of public facilities	0	0	0	0
7/1/2027	# of public facilities	0	0	0	0
10/1/2027	# of public facilities	0	0	0	0
1/1/2028	# of public facilities	0	0	0	0
4/1/2028	# of public facilities	0	0	0	0
7/1/2028	# of public facilities	0	0	0	0
10/1/2028	# of public facilities	0	0	0	0
1/1/2029	# of public facilities	3	0	3	0
4/1/2029	# of public facilities	0	0	3	0
7/1/2029	# of public facilities	0	0	3	0
10/1/2029	# of public facilities	0	0	3	0
1/1/2030	# of public facilities	0	0	3	0
4/1/2030	# of public facilities	0	0	3	0
7/1/2030	# of public facilities	0	0	3	0
10/1/2030	# of public facilities	0	0	3	0
1/1/2031	# of public facilities	0	0	3	0
4/1/2031	# of public facilities	0	0	3	0
7/1/2031	# of public facilities	0	0	3	0
10/1/2031	# of public facilities	0	0	3	0

Fire Facilities and Protective Measures (FFPM) Program

Period	Performance Measure	Quarterly Projection	Quarterly Actual	Cumulative Projection	Cumulative Actual
10/1/2025	# of public facilities	0	0	0	0
1/1/2026	# of public facilities	0	0	0	0
4/1/2026	# of public facilities	0	0	0	0
7/1/2026	# of public facilities	0	0	0	0
10/1/2026	# of public facilities	0	0	0	0
1/1/2027	# of public facilities	0	0	0	0
4/1/2027	# of public facilities	0	0	0	0
7/1/2027	# of public facilities	0	0	0	0
10/1/2027	# of public facilities	0	0	0	0
1/1/2028	# of public facilities	0	0	0	0
4/1/2028	# of public facilities	0	0	0	0
7/1/2028	# of public facilities	1	0	1	0
10/1/2028	# of public facilities	2	0	3	0
1/1/2029	# of public facilities	2	0	5	0
4/1/2029	# of public facilities	2	0	7	0
7/1/2029	# of public facilities	1	0	8	0
10/1/2029	# of public facilities	0	0	8	0
1/1/2030	# of public facilities	0	0	8	0
4/1/2030	# of public facilities	0	0	8	0
7/1/2030	# of public facilities	0	0	8	0
10/1/2030	# of public facilities	0	0	8	0
1/1/2031	# of public facilities	0	0	8	0
4/1/2031	# of public facilities	0	0	8	0
7/1/2031	# of public facilities	0	0	8	0
10/1/2031	# of public facilities	0	0	8	0

6.4 Summary and Response of Public Comments

The following provides a summary of public comments received for the State of Texas 2021 Winter Storms CDBG-DR Action Plan in response to DR-4586 during the public comment period of November 6, 2023 through December 6, 2023. The GLO received a total of 11 comments during the 30 calendar days.

PUBLIC HEARING COMMENTERS:

Name		Individual, County, City or Organization
Last	First	
Garcia	Saul	Hidalgo County Legislative Director

NON-PUBLIC HEARING COMMENTERS:

Name		Individual, County, City or Organization
Last	First	
German Wilson	Huey	Northeast Houston Redevelopment Council
Newsome	Yvonne	Individual
Miguad	Michael	Individual
Davis	Laura	Individual
Swanzy	Mackenzie	Town of Buffalo Gap
James	Jacqueline	Individual
Alejandro	Juan	Individual
Collins	Jessica	City of Texhoma
Sloan	Madison	Texas Appleseed
Orduña	Julia	Texas Housers

11/16/23 PUBLIC HEARING (HELD VIRTUALLY):

Comment Received: The state of Texas was allocated \$43 million out of that \$30 million must be granted to Harris, Tarrant, and Dallas County and \$7.5 million for the remaining 251 counties. Additionally, HUD granted direct allocation to the following cities Houston, Harris County \$50,095,000, \$40,400,000 to Dallas County, \$27,042,000 to Fort Worth and Tarrant County. Therefore, the three HUD designated counties will receive \$148.426 million while the remaining 251 will receive \$7.5 million. Average per funding per county is \$49,475,433 for the HUD MID. For the non-HUD MID, the rest of the 251 counties, \$29,880. Population as of July 2022 Texas total is 30 million plus. Harris County is 4.7 million. Dallas County is 2.6 million. Tarrant County is 2.1 million. The population of HUD MID the people who are receiving close to 97% of this fund is 9.5 million people. The populations of non-HUD MID are receiving \$7.5. The funding per capita HMID is more than \$15.6 per person in those three counties. On the non-HUD MID we are receiving less than 37 cents per person but that doesn't even guarantee us that a county like Hidalgo County or South Texas or even Bexar

County will even receive none of this money. What was the actual justification of this of being. Because as I remember all the state of Texas was hit by this storm. What formula did HUD use for these allocations what was the reasoning for that.

I don't agree with it, and you know that's just a slap in the face for 251 counties that will ultimately get pennies or even pennies on the dollar and I'm meaning less than a penny. I'm pretty sure not everybody's going to qualify. Twenty million people are not going to get anything compared to \$9 million and I don't think that's the right thing.

Response: The state of Texas did receive an allocation of \$43 million in CDBG-DR funding to support long-term recovery efforts following the 2021 Winter Storms that includes specified amounts set aside for Harris County, Tarrant County, and Dallas County. Additionally, the cities of Houston, Dallas, and Fort Worth each received direct allocations of funding from HUD. All funding decisions made by HUD were based on methodologies identifying the grantees to receive allocations and determining how the \$43 million award to the state would be administered. The Federal Registers governing the allocations, 87 FR 31636 and 88 FR 3198, detail how HUD allocated the funds based on damage assessments that considered individual assistance, public assistance, and SBA values. Typically, HUD does not allow a grantee like the state of Texas to make any changes to HUD's allocation methodologies, though a grantee may pursue a separate waiver process and, in rare circumstances, HUD may agree that the merits of the request warrant the issuance of a waiver. A waiver has not been requested by the state at this time.

NON-PUBLIC HEARING COMMENTS:

Comment Received: We would like to see storefront offices in our community [City of Houston] to address resident's concerns, apply for funds and work more hands on with the case managers. It is a barrier to residents that call repeatedly to no avail, no return calls and then to be told that they have missed deadlines. The state should build in an ombudsman office to take on issues that need to be escalated for whatever reason for residents affected by disasters.

Response: The programs administered by the state in accordance with the 2021 Winter Storms Public Action Plan will fund infrastructure and multifamily development projects proposed by subrecipients of the state. However, the City of Houston received a direct allocation of \$50.1 million by HUD to support long-term recovery efforts following the 2021 Winter Storms. The Texas General Land Office encourages you to reach out to your local representatives and officials for specific details regarding the city of Houston's direct allocation. The city of Houston's 2021 Winter Storms website can be found here: <https://recovery.houstontx.gov/uri/>.

Comment Received: My house was badly damaged by the winter storm and my insurance fell to fix it. Got one company who convinced my insurance into paying for my roof to be redone and somehow that company took my money didn't fix the inside my house so left my house gutted out on one side, in the inside and my ceiling fall in. So, I was working at the time trying to fix what I could little by little. It's just too much for me especially now that I have become disabled and only get paid once a month and don't even have enough money to make it monthly.

Response: The Texas General Land Office developed the programs described in this 2021 Winter Storms Public Action Plan based on collected statewide impact data and the limited amount of funds to address the wide range of unmet recovery needs. Needs were communicated through consultations, the 2021 Winter Storms Recovery Survey, and the Unmet Needs Assessment. The planned programs do not include the construction, reconstruction, or rehabilitation of single-family housing due to the limited funds awarded. The allocation the state received is inadequate to launch a large-scale and cost-effective homeowner assistance program.

Comment Received: Will the 2021 Winter Storms public hearing be recorded and available to listen to afterwards?

Response: The recording for the 2021 Winter Storms Public Hearing is available on the GLO recovery website in English, Spanish, and American Sign Language. The slides and script for the public hearing are also available in English, Chinese, Spanish, and Vietnamese. These resources can be found here: <https://recovery.texas.gov/action-plans/2021-winter-storms/index.html>.

Comment Received: I received heavy damage at my residence during the Ice Storm of 2021. The foundation of my home completely cracked/broke because water under the foundation froze. I was not aware that there was water under the foundation until the foundation began to crack and buckle terribly. I am in dire need of assistance to repair my home as I am not currently able to live in it.

Response: The Texas General Land Office developed the programs described in this 2021 Winter Storms Public Action Plan to address the wide range of needs that were communicated through consultations, the 2021 Winter Storms Recovery Survey, and multiple 2021 Winter Storms after-action reports received from across the state. The planned programs do not fund the construction, reconstruction, or rehabilitation of single-family housing as the allocation that the state received is inadequate to launch a large-scale and cost-effective homeowner assistance program.

Comment Received: I believe that reimbursement grants should be given to those citizens that were required to invest in backup power options due to the inability of the government to maintain its grid during the Texas Snow event.

Response: The Texas General Land Office developed the programs described in this 2021 Winter Storms Public Action Plan to address the wide range of needs that were communicated through consultations, the 2021 Winter Storms Recovery Survey, and multiple 2021 Winter Storms after-action reports received from across the state. The purchase of equipment, such as backup power generators not permanently affixed to public facilities, is generally ineligible for CDBG-DR funding.

Comment Received: We are a small, incorporated city, less than 600 people. The emergency fire service for our area is a volunteer 501(c)3 department, the Buffalo Gap Volunteer Fire Department. They are in dire need of safety equipment such as bunker gear, scubas, gloves, helmets, etc. Are volunteer fire departments eligible to apply for 21WS Fire Facilities and Protective Measures piece of the Winter Storm Plan?

Response: The Texas General Land Office recognizes the needs of smaller communities that may not have the same resources as their larger counterparts and remains dedicated to ensuring that these communities are given an equal opportunity to apply for funding under the 2021 Winter Storms Public Action Plan. An eligible entity through an interlocal agreement may apply on behalf of a smaller community and fire department including volunteer fire departments.

Comment Received: Where can communities find data the GLO will use for damage per capita on a potential application to the programs listed in the GLO's proposed action plan for Winter Storm Uri funding?

Response: The Texas General Land Office will use FEMA Public Assistance data. This data will be available to the public on the GLO website when program intake begins and the application is made available.

Comment Received: There was 254 counties that was declared a national disaster. I seen it was only 3 counties that was listed on your website. There are individuals including myself still needing help that can't afford to repair or replace their homes nor relocate. That's families still living in their damaged homes. This is concerning due to it being a hazard and unsafe living. I'm pleading you all to reconsider adding Liberty County to your list in the 2021 Winter Storm Disaster.

Response: All Texas counties and incorporated cities, apart from the HUD MID counties, are eligible to apply for project funding under the 2021 Winter Storms Fire Facilities and Protective Measures (FFPM) Program. Under the 2021 Winter Storms HUD MID Counties Program, only Dallas County, Harris County, and Tarrant County are eligible. The Texas General Land Office does not select which areas are to be considered HUD-identified MID areas. These areas are selected by HUD based on its own methodology published in the Federal Register notices.

Comment Received: As local jurisdictions that received disaster funding for the 2021 Winter Storms are addressing homeowner problems, we agree that the State should focus on funding affordable housing developments and improvements.

Response: The Texas General Land Office appreciates the positive feedback provided in this comment.

Comment Received: The city and county governments of Harris, Dallas, and Tarrant County have relationships with local vendors and are aware of the need for affordable housing around their jurisdiction. With the influx of disaster recovery funding since Hurricane Harvey, building more affordable housing has been possible. It is critical that GLO work closely to identify projects that best suit the local needs and strategy to situate affordable housing where it would benefit the most to offer opportunities to thrive.

Response: Under the 2021 HUD MID Counties Program, Harris County, Dallas County, and Tarrant County will submit to the GLO applications outlining proposed projects. The Texas General Land Office will work with these counties to ensure projects meet the eligibility requirements laid out in the Public Action Plan.

Comment Received: Income targeting affordable housing is also necessary. According to the National Low Income Housing Coalition's The Gap Report, within the Houston-The Woodlands-Sugarland metro area in 2021, there were only 19 available and affordable units for every 100 ELI households and 40 units available and affordable for every 100 families making less than 50% AMI. This housing shortage forces renters at the lowest incomes to rent units outside of their affordability, putting them at risk for eviction and homelessness. Simultaneously, there are 95 units available and affordable for every 100 families for households at or below 80% AMI. This signifies that currently, there is almost enough housing for middle-income families as there is need. Therefore, the need to income target development at higher incomes is less imperative than targeting at lowing incomes.

Response: The Texas General Land Office is committed to administering all CDBG-DR funds in a manner that is consistent with federal law, including laws and regulations establishing CDBG-DR income thresholds. The GLO will follow HUD's CDBG-DR requirement that at least 51% of assisted units be made affordable to households at and below 80% of the area median income (AMI).

Comment Received: The number of low-income senior housing units compared to the number of family housing units, along with their placement, should also be considered. Multifamily housing should be developed in high income areas to bring workers closer to their workplaces and situate students at high opportunity schools. Low-income housing should also be placed in areas vulnerable to gentrification, often displacing long-term residents due to rising rent costs.

Response: The use of CDBG-DR funds by Harris County, Dallas County, and Tarrant County will be proposed by each in accordance with the requirements of the HUD MID Counties program outlined in the 2021 Winter Storms Public Action Plan and published program guidance. The Texas General Land Office will work closely with these counties to ensure funded projects meet all program requirements.

Comment Received: We implore GLO to have robust community engagement meetings with renters affected by the winter storm. To encourage attendance and reduce participation barriers, GLO should offer transportation vouchers or stipends, have a child care location separate from the meeting room where children will be safe and parents can fully participate in the meeting, and live, simultaneously interpretation for other-language speakers and those with Limited English Proficiency. The GLO should also consider offering a financial stipend for low-income community members who attend.

Response: The Texas General Land Office is committed to ensuring all disaster recovery programs are administered in a manner that balances active engagement with impacted communities with the expediency required for disaster recovery response. The use of CDBG-DR funds by Harris County, Dallas County, and Tarrant County will be proposed by each in accordance with the requirements of the HUD MID Counties program outlined in the 2021 Winter Storms Public Action Plan and published program guidance. The Texas General Land Office will work closely with these counties to ensure subrecipients meet their citizen participation requirements (*see* 24

CFR 570.486). The Texas General Land Office encourages citizens of these counties to reach out to their local representatives and officials to communicate local needs.

Comment Received: It is unclear why there are mentions of homeowners, particularly in the flood insurance portion of The Plan. It seems that much of this language has been borrowed from previous action plans and not edited to address the current plan. This recycling of information without intentional application can create issues.

Response: The development of the 2021 Winter Storms Public Action Plan includes language required by HUD. This required language includes mentioning homeowners flood insurance requirements and data on homeowners.

Comment Received: Renters affected during Winter Storm Uri may not have had direct damage to their real property, but were affected due to lack of water and electricity for weeks, which forced financial emergency expenses in the form of increased expenses in potable water and food, hotel or other habitable occupancy, and increased in household gas and automotive gas. Because most renters' property was not affected by the Winter Storm, there was no need to ask for FEMA assistance, therefore FEMA applications are still an undercount of the renter need and renters affected by the Winter Storms.

Response: The Texas General Land Office developed the Unmet Needs Assessment for the 2021 Winter Storms disaster based on the data provided by HUD through its Computer Matching Agreement with FEMA and shared through the state's Data Sharing Agreement with HUD. The expenses described in this comment would have been reimbursable, potentially, through FEMA's Other Needs Assistance (ONA) Program, which is not used in HUD's determination of unmet need relevant to the state's CDBG-DR allocation. Due to the limited allocation of funds to the state of Texas and based on the results of the 2021 Winter Storms Recovery Survey, eligible activities under the 2021 Winter Storms HUD MID Counties Program must focus on long-term recovery, restoration of infrastructure and affordable multifamily rental housing, and mitigation in the HUD MID Areas.

Comment Received: We do not believe that 15-year or 20-year affordability periods are sufficient for multifamily developments. The GLO should match the TDHCA standard for LIHTC developments, which is an effective affordability period of 45 years.

Response: The Texas General Land Office, in its commitment to implementing disaster recovery programs within the bounds of federal law, designs programs and policies that comply with the most currently issued HUD guidance and regulations. The Federal Register notices for the 2021 Winter Storms CDBG-DR allocation establish a minimum period of affordability of fifteen (15) years for the rehabilitation or reconstruction of multi-family rental projects and a minimum affordability period of twenty (20) years for the new construction of multi-family rental projects with five or more units. Subrecipients may choose to adopt a longer minimum period of affordability for funded projects.

Comment Received: The Plan also fails to mention a maximum AMI. We believe that specific targeting should be necessary at or below 60% AMI.

Response: The Texas General Land Office is committed to administering all CDBG-DR funds in a manner that is consistent with federal law, including laws and regulations establishing CDBG income thresholds. The GLO will follow HUD's CDBG-DR requirement that at least 51% of assisted units be made affordable to households at and below 80% of AMI. Subrecipients may choose to set a lower maximum AMI amount.

Comment Received: Renters affected by the 2021 Winter Storms are not beneficiaries of the funding offered by the federal government to the state. Because renters of affected properties have long since vacated the affected developments, they will not be receiving the benefits from the rehabilitation of their own homes. Property owners should be required to offer a First Right of Refusal to all tenants that were currently living at the property, regardless of having an active lease at the time of the disaster.

Response: Due to the limited allocation of funds to the state of Texas and based on the results of the 2021 Winter Storms Recovery Survey, eligible activities under the 2021 Winter Storms HUD MID Counties Program must focus on long-term recovery, restoration of infrastructure and affordable multifamily rental housing, and mitigation in the HUD MID Areas.

Comment Received: We strongly agree with GLO's provision of CDBG-DR funds for multifamily affordable housing. The CDBG requirement that 51% of assisted units be affordable to households at 80% of AMI is insufficient to meet the actual housing needs of renter households most affected by Winter Storm Uri. Following Hurricanes Ike and Dolly, GLO required jurisdictions to fund replacement rental units affordable to households at 0-30% of AMI, 31-50% of AMI, and 51-80% of AMI proportionally to the percentage of rental household population with hurricane damage. We encourage GLO to do so for this allocation of CDBG-DR funding to avoid repairing and replacing rental units with units that are less affordable to Texas families than they were pre-disaster.

Response: The Texas General Land Office is committed to administering all CDBG-DR funds in a manner that is consistent with federal law, including laws and regulations establishing CDBG-DR income thresholds. The GLO will follow HUD's CDBG-DR requirement that at least 51% of assisted units be made affordable to households at and below 80% of AMI.

Comment Received: We appreciate that for both HUD MID and State MID Counties programs GLO has identified specific categories of activities rather than allowing subrecipients to use funds for any CDBG-eligible activity. Ensuring that limited federal funds are used to address the most urgent needs related to a disaster is consistent with both CDBG-DR authorizing legislation and more effective and efficient disaster recovery programs. While we do not dispute that both fire protection facilities and emergency power generators for public facilities are important recovery and mitigation needs, they must, as the Action Plan mandates, be "tied to the impacts of severe winter storms." Fire protective facilities and equipment or generators are not eligible and appropriate CDBG-DR projects in and of themselves but because they address the impact disasters have on community lifelines, especially for lower income and marginalized communities including people with disabilities. CDBG-DR projects, including mitigation projects, that address Community

Lifelines must address the impact that disaster events can have on people with disabilities and other marginalized populations because the disruption and destabilization caused by disasters look different for them. Jurisdictions who are seeking CDBG-DR funding for fire facilities or generators on the basis that these projects are part of their emergency operations plans must ensure that those plans address the barriers within the planning process to ensure a whole community, inclusive, equitable response and recovery. For example, how will the applicant use fire equipment to reach people with power-dependent life-sustaining durable medical equipment or medication that requires refrigeration? If a generator is intended to power an emergency shelter facility is that facility accessible - physically and programmatically - to people with disabilities? Could new equipment be used for food and water distribution in a winter storm emergency to reach households that can't get to a physical distribution site? How will the jurisdiction inform residents of the availability of emergency shelter? Are those communications in the forms mostly likely to reach vulnerable populations and in all the most common languages spoken in the community? We recommend that GLO's project application require applicants to detail these connections.

Response: As noted in the 2021 Winter Storms Public Action Plan, subrecipients must demonstrate a tie-back to the 2021 Winter Storms for all funded activities, except for those activities funded through the HUD MID Mitigation Set-aside funding as outlined in the HUD MID Counties program. All applications will undergo a complete eligibility review, including Affirmatively Furthering Fair Housing (AFFH) requirements, by the GLO before approval.

Comment Received: We strongly agree with the Action Plan that social vulnerability, as measured by a Social Vulnerability Index (SoVI), is a critical metric for determining where resources can be used most effectively to reduce disparities in a community's ability to prepare for, respond to, and recover from disasters. However, the SoVI should be applied at a census tract level and not the county level. Determining SoVI score at the county level rather than the census tract level means that areas with greater economic inequality will have lower SoVI scores, even if there are areas within those counties with very high levels of social vulnerability. This may steer funds away from the hardest-hit areas that are most affected by pre-existing inequities and where CDBG-DR funds would be most effective. Texas Appleseed has, in previous comments, expressed concerns about the use of the University of South Carolina's Hazards and Vulnerability Research Institute's SoVI, which is more commonly used for academic research, instead of the Center for Disease Control's SoVI because we believe the data and methodology should be public and transparent. Regardless, however, we note that Dr. Susan Cutter, one of the original author's of the University of South Carolina SoVI, changed from a county-basis to a census tract basis in order to more accurately identify areas of vulnerability.

Response: In preparing the 2021 Winter Storms Unmet Needs Assessment, the Texas General Land Office used county geography to illustrate the general distribution of social vulnerability across the state of Texas. Smaller geographies are not visible at the scale used.

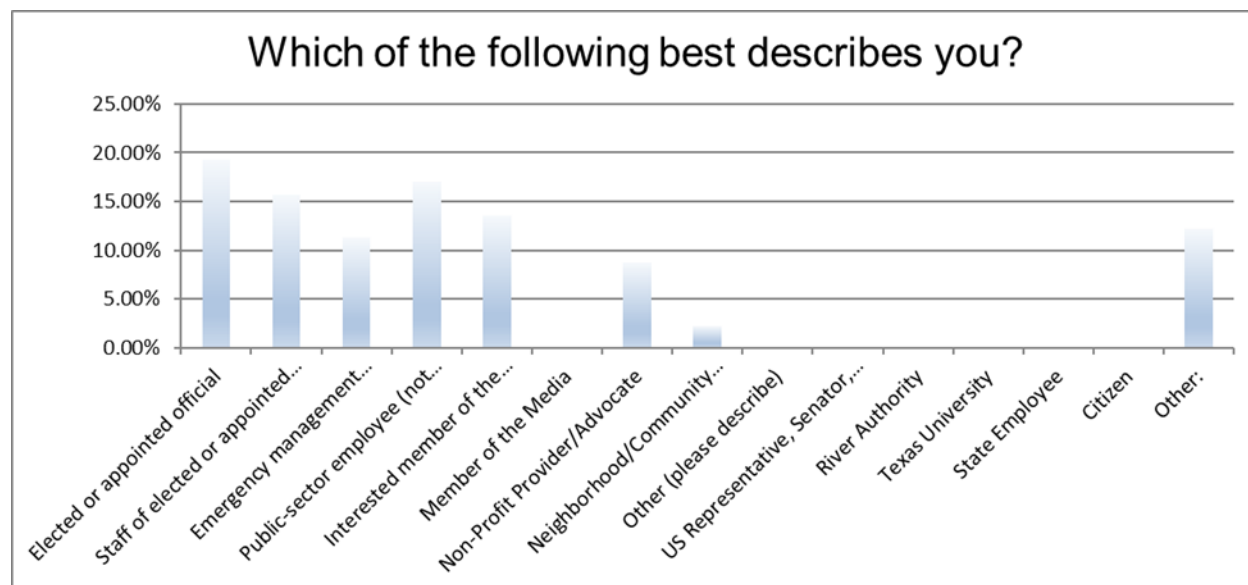
The Social Vulnerability Index ("SoVI"), which originated out of the University of South Carolina and further developed through partnership with the University of Central Florida, is a highly regarded metric that accounts for disproportionate impacts through an equity lens. By utilizing

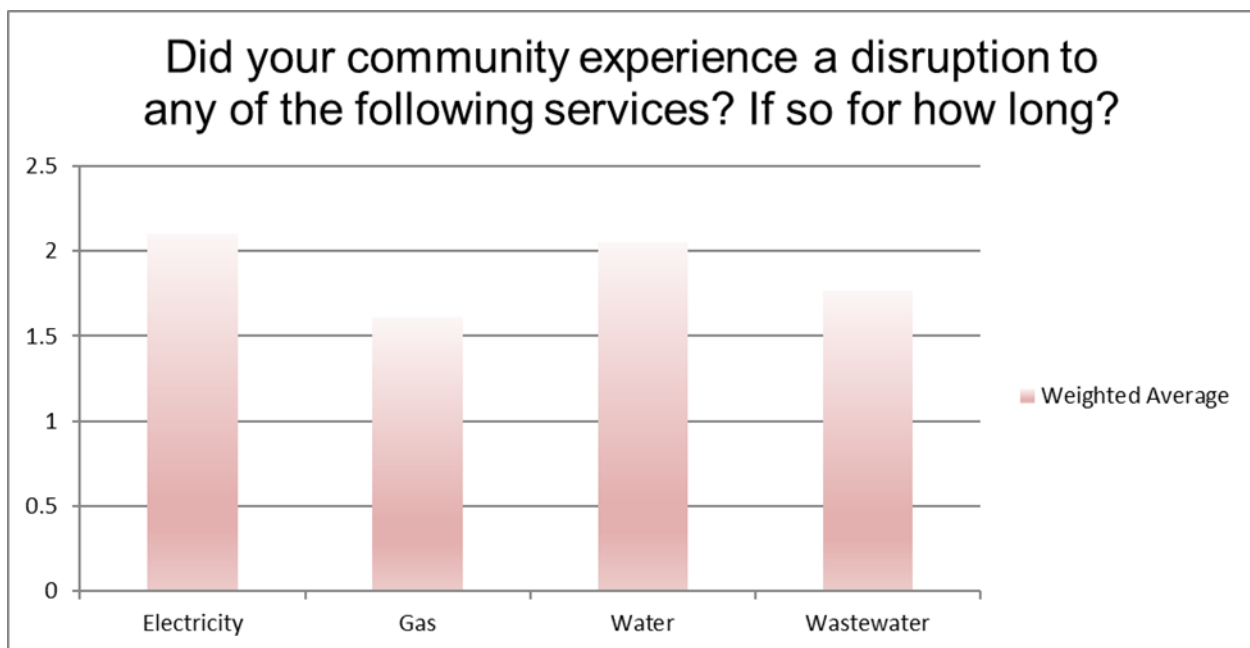
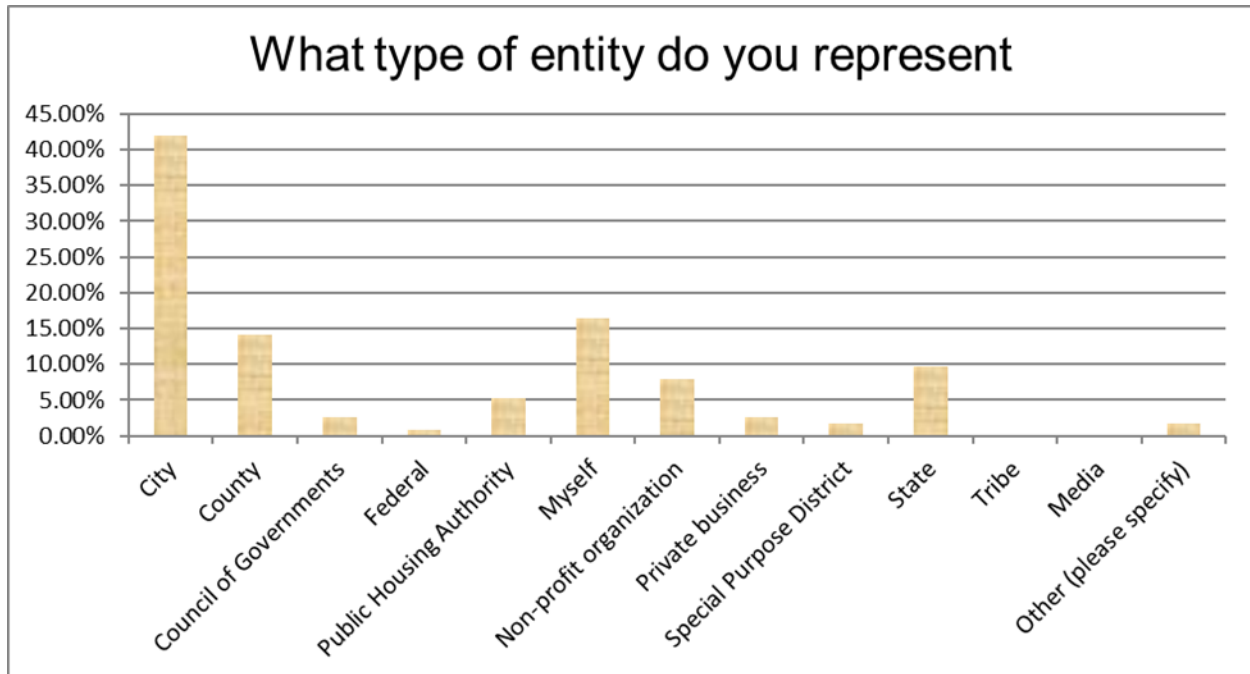
SoVI, the state is working to provide a clearer picture of differential vulnerability in relation to climate sensitive hazards. SoVI synthesizes 29 socioeconomic variables that contribute to reduction in a community's ability to prepare for, respond to, and recover from hazards. SoVI is a comparative metric that facilitates the examination of the differences in vulnerability among counties and other geographies. Additionally, SoVI has been used in a variety of disaster-related action plans across the nation and has gained prominence in the disaster recovery and mitigation realm. The Centers for Disease Control's SVI, on the other hand, refers to the resilience of communities when confronted by external stresses on human health. While it covers such stresses that include natural or human caused disasters or disease outbreaks, SVI only uses 15 variables.

6.4.1 GLO Statewide Administered 2021 Winter Storms Recovery Survey

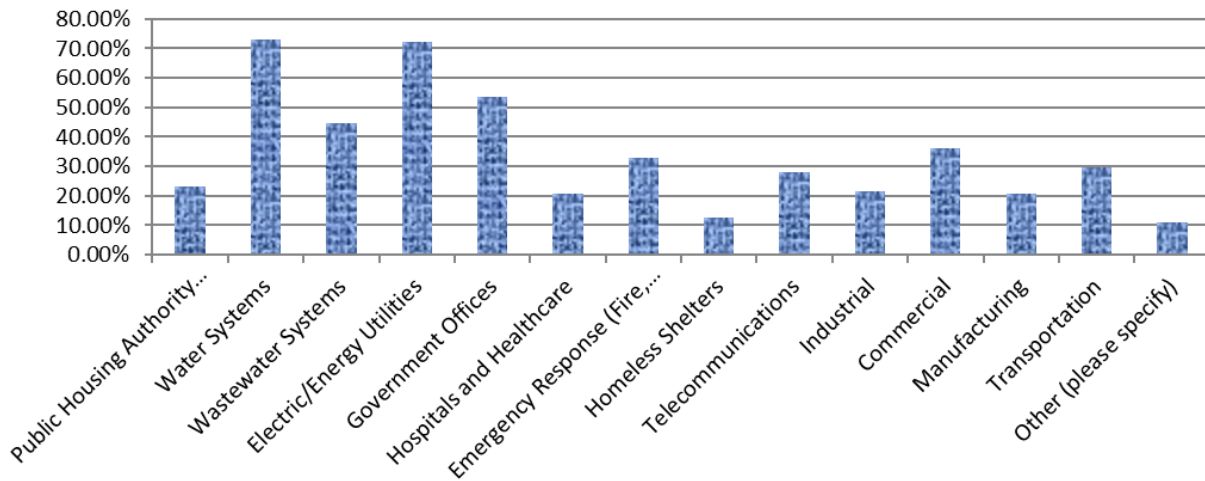
On June 5, 2023, the GLO launched a digital survey through the online service Survey Monkey to gauge the disaster recovery and mitigation needs of communities throughout the entire state of Texas. Elected officials, representatives of local, regional, and state agencies, public housing representatives, private sector, and nonprofits focused on housing, disaster recovery, and the needs of low-income and vulnerable populations were contacted and encouraged to complete the survey. The survey was also announced at the Texas Emergency Management Conference during the week of May 30 - June 1 at multiple sessions throughout the event.

At the survey's end on June 23, 2023, a total of 229 respondents from across the state had provided valuable input. The results of the survey are included below in the following charts and graphs.





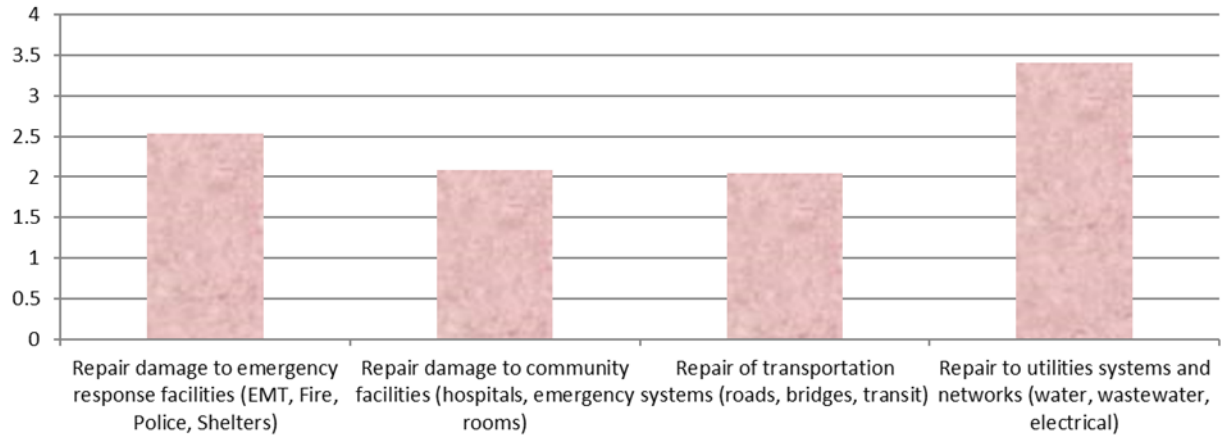
Which facilities were impacted by the disruption in services? Check all that apply.



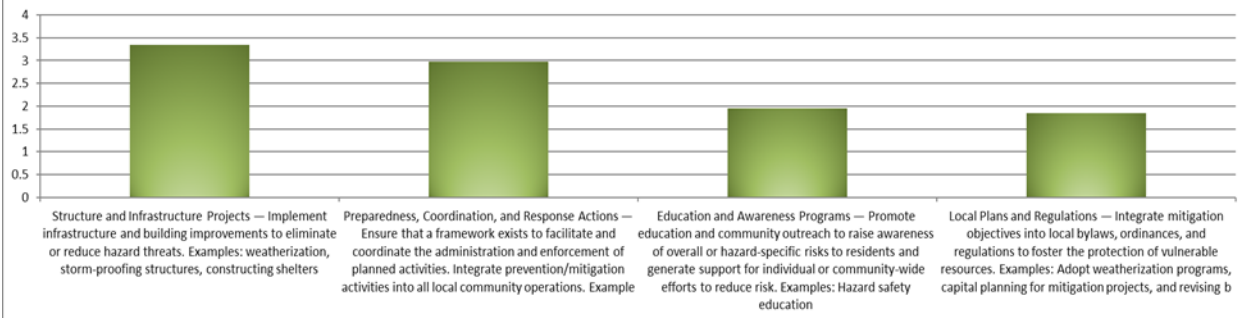
If damages occurred and those damages have not been repaired, choose a monetary (\$) estimate on the total cost to repair damages (for the entire community) that have not been repaired.



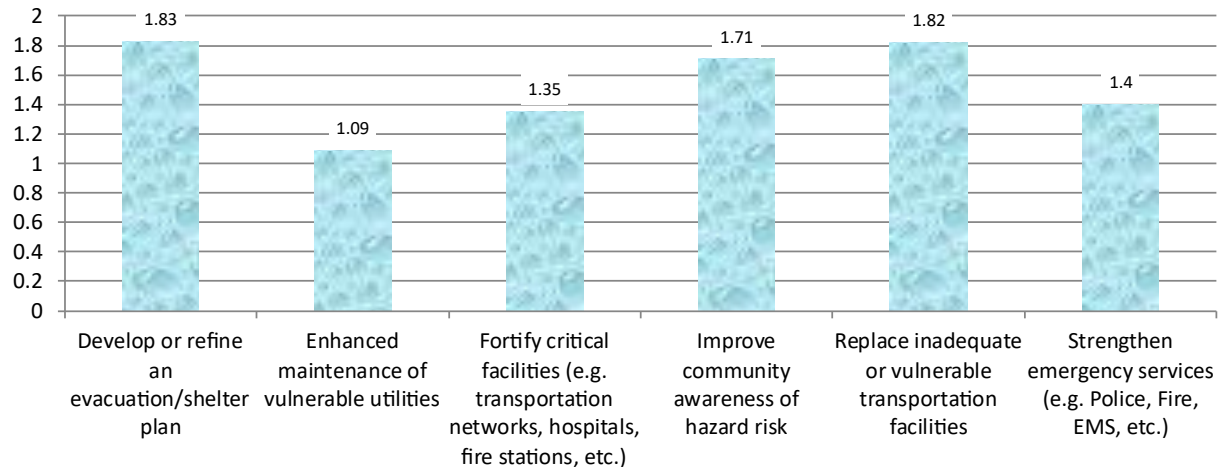
If your community experienced damage from the 2021 Winter Storm please rank, on a scale from 1-4, your community's priorities in addressing that damage



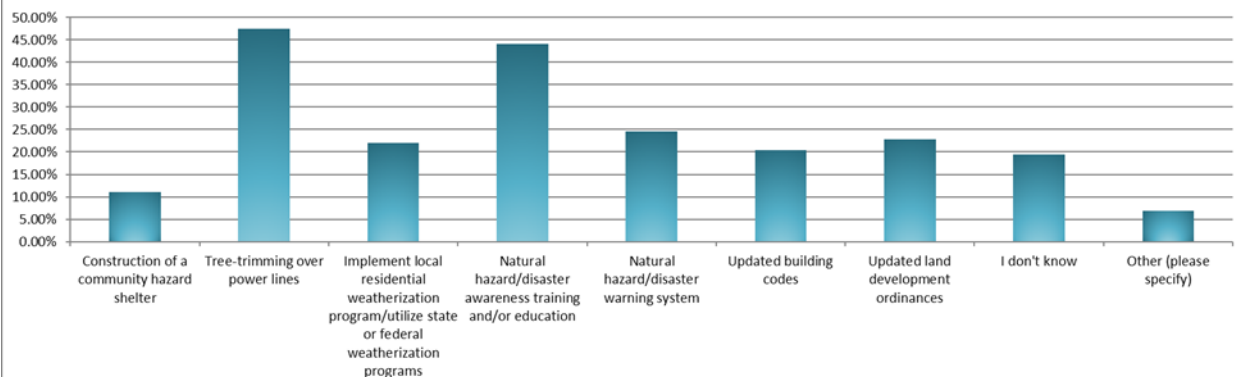
Taking into consideration your community's past experiences with natural hazards, please rate, on a scale from 1 to 4, your community's interest in pursuing the following activities (1 - Most Important, 4 - Least Important)

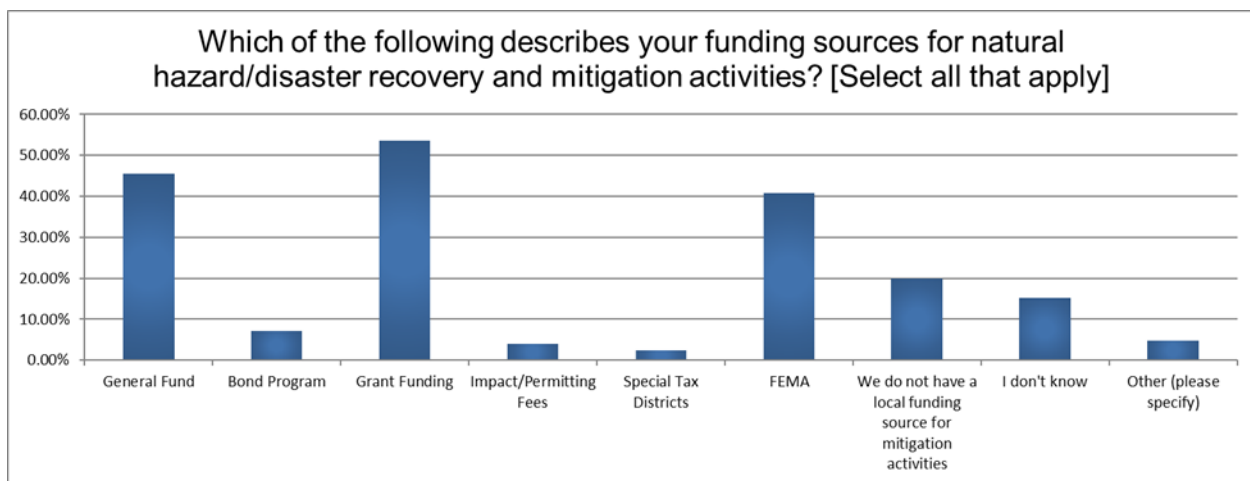
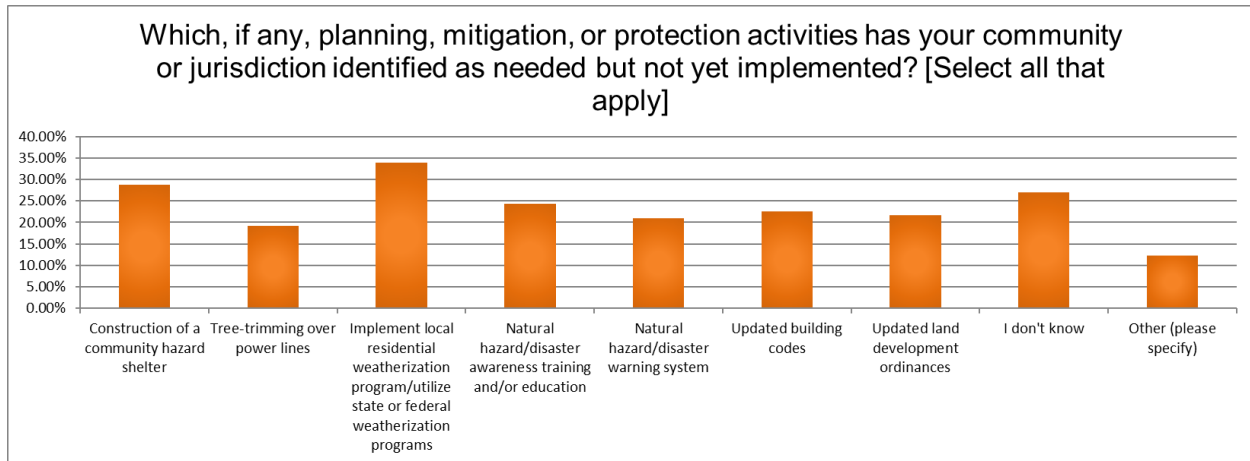


If additional, limited funding becomes available, please rate the following mitigation activities according to your community's current priorities:



Which, if any, planning, mitigation, or protection activities has your community or jurisdiction implemented recently (i.e. in the past five years)? [Select all that apply]





6.5 Data Sources/Methodologies

Owner Occupied Households:

- Minor-Low:
 - Less than \$3,000 of FEMA inspected real property damage
- Minor-High:
 - \$3,000 to \$7,999 of FEMA inspected real property damage
- Major-Low:
 - \$8,000 to \$14,999 of FEMA inspected real property damage
- Major-High:
 - \$15,000 to \$28,800 of FEMA inspected real property damage
- Severe:
 - Greater than \$28,800 of FEMA inspected real property damage

Renter Occupied Households:

- Minor-Low:
 - Less than \$1,000 of FEMA inspected personal property damage
- Minor-High:
 - \$1,000 to \$1,999 of FEMA inspected personal property damage
- Major-Low:
 - \$2,000 to \$3,499 of FEMA inspected personal property damage
- Major-High:
 - \$3,500 to \$7,500 of FEMA inspected personal property damage
- Severe:
 - Greater than \$7,500 of FEMA inspected personal property damage

Severe Ice Storm Multiplier – 88 FR 32046 (May 18, 2023)

- Major-Low: \$33,528
- Major-High: \$33,714
- Severe: \$36,592

6.6 Important Definitions and Terms

- ACS: American Communities Survey
- ADA: Americans with Disabilities Act
- AFFH: Affirmatively Furthering Fair Housing
- AMI: Area Median Income
- CBDO: Community Based Development Organization
- CDBG: Community Development Block Grant
- CDBG-DR: Community Development Block Grant- Disaster Recovery
- CDBG-MIT: Community Development Block Grant- Mitigation
- CFR: Code of Federal Regulations
- CO: Certifying Officer
- CP: Citizen Participation
- DOB: Duplication of Benefits
- DRGR: Disaster Recovery and Grant Reporting System
- ERCOT: Electric Reliability Council of Texas
- FEMA: Federal Emergency Management Agency
- GLO: The Texas General Land Office
- LEP: Limited English Proficiency
- HCD Act: Housing and Community Development Act of 1974, as amended
- MID: Most Impacted and Distressed
- HMGP: Hazard Mitigation Grant Program
- HUD: The United States Department of Housing and Urban Development
- IA: (FEMA) Individual Assistance
- LIHTC: Low-Income Housing Tax Credit
- LMI: Low and moderate-income
- NFIP: National Flood Insurance Program
- PA: (FEMA) Public Assistance
- RE: Responsible Entity
- R/ECAP: Racially / Ethnically Concentrated Areas of Poverty
- RFP: Request for Proposals
- SBA: U.S. Small Business Administration
- SFHA: Special Flood Hazard Area
- SoVI: Social Vulnerability Index
- TCEQ: Texas Commission on Environmental Quality
- TDEM: Texas Division of Emergency Management
- TDHCA: The Texas Department of Housing and Community Affairs
- TDI: Texas Department of Insurance
- UGLG: Unit of general local government
- URA: Uniform Relocation Assistance and Real Property Acquisition Act of 1970, as amended

- USACE: U.S. Army Corps of Engineers

6.7 Standard Form 424

Standard Form 424 submitted with final submission of the Public Action Plan in DRGR system.