



# Oklahoma's Action Plan for Disaster Recovery

2022 CDBG-DR

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**OKLAHOMA**  
Commerce

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# 1 Executive Summary

## 1.1 Overview

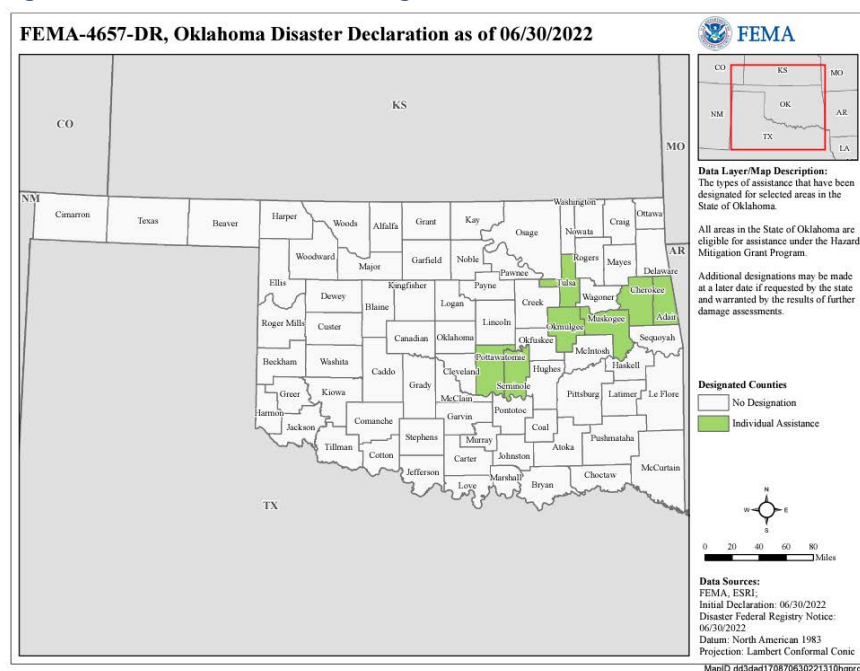
The U.S. Department of Housing and Urban Development (HUD) announced that the State of Oklahoma will receive \$7,473,000 in funding to support long-term recovery efforts following FEMA DR-4657 and DR-4670 through the Oklahoma Department of Commerce Community Development Division (hereafter referred to as "Oklahoma", ODOC", or "the State"). 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 needs in Oklahoma.

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 \$7,473,000 in CDBG-DR funds to Oklahoma in response to Oklahoma's severe storms, tornadoes, and flooding, DR-4657 and DR-4670, through the publication of the Federal Register, Vol. 88, No. 96, May 18, 2023 (<https://www.govinfo.gov/content/pkg/FR-2023-05-18/pdf/2023-10598.pdf>). This allocation was made available through Public Law 117-180.

## 1.2 Disaster-Specific Overview

Tornadoes and thunderstorms are a frequent occurrence on the Great Plains. During May 2-8, 2022, residents of Oklahoma took cover as powerful storms rolled onto the plains. These five days brought severe flooding, hail, and tornadoes across a wide portion of central and eastern Oklahoma, resulting in Presidential Disaster Declarations for seven counties and the Muscogee (Creek) Nation. The flooding and tornadoes had the most impact, with flooding concentrated in Okmulgee and Muskogee counties, and tornadoes impacting businesses and homes in Seminole County.

Figure 1: FEMA-4657-DR Designated Areas



Source: FEMA, DR-4657 Individual Assistance Data, 2022.

In the wake of the devastating rainfall which caused rivers and creeks to overflow, residents of Okmulgee County (a HUD-identified Most Impacted and Distressed area) found themselves grappling with the aftermath of the disaster that destroyed their homes and public infrastructure. The damage brought on by the floodwaters was so severe that emergency managers in Okmulgee County feared it could take years to recover.<sup>1</sup> Highways in Okmulgee and Cherokee counties were closed due to flooding.

It was no different in Muskogee County. The rising water destroyed residents' homes. The Meadows neighborhood in the City of Muskogee experienced the full brunt of this severe flooding. One homeowner recounted the speed at which the floodwaters rose inside her home. Within just 15 minutes, the water rose from two inches to the height of her waist.<sup>2</sup>

Infrastructure in Muskogee County was also impacted. The deluge was so severe that critical roads throughout the county were transformed into rivers, the road surfaces obscured beneath the swelling tide. Water reached the height of stop signs.<sup>3</sup> A critical bridge on Smith Ferry Road was severely impacted by floodwater and faced imminent collapse.<sup>4</sup> Ambulances were unable to cross the bridge, leaving vulnerable patients stranded without a way to get to the hospital.<sup>5</sup>

A total of 13 tornadoes occurred in Oklahoma during the late afternoon and evening hours of May 4, 2022. In total, 23 tornadoes scoured the Oklahoma landscape across several counties during the disaster period of May 2-8, 2022. Tornadoes are assigned a rating from zero to five on the Enhanced Fujita Scale or EF Scale. A higher number on the scale represents higher estimated wind speeds and related damage. On May 4<sup>th</sup>, 2022, in the City of Seminole, two tornadoes touched down within minutes of one another, including a long-track significant EF-2 tornado that went through the center of town. That tornado was half a mile wide and was on the ground for 12 miles. The tornadoes ripped through residential and commercial districts, destroying dozens of homes and businesses. This tornado primarily impacted downtown Seminole, OK with widespread areas of light to moderate damage throughout the town. This storm went on to produce an additional long-track tornado from near Cromwell to Okemah, OK (Okfuskee County). Another supercell storm, immediately trailing the "Seminole" tornadic storm, produced additional tornadoes across Pottawatomie and Seminole counties. One tornado produced from this storm completed a nearly full loop near the town of Earlsboro, Oklahoma.<sup>6</sup>

The storm resulted in approximately 12,400 power outages statewide. By May 7<sup>th</sup>, power had been restored in most areas except Seminole County. The American Red Cross opened shelters in Seminole County for residents displaced by the disaster. The storm also closed highways due to flooding in Seminole County, delaying aid. There were 21 storm-related injuries reported from the multi-day severe-weather event.<sup>7</sup>

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<sup>1</sup> Weaver, K. (2022, May 5). Flood recovery could take months in Okmulgee, says emergency managers. News on 6. <https://www.newson6.com/story/62740640416d82072d12a614/flood-recovery-could-take-months-in-okmulgee-says-emergency-managers>

<sup>2</sup> Julia Gorman, "Muskogee Neighbors Start Cleanup after Flood Damages Homes," www.fox23.com, May 6, 2022, [https://www.fox23.com/news/muskogee-neighbors-start-cleanup-after-flood-damages-homes/article\\_6b6733c7-4b03-56a1-9880-bf34eaf51506.html](https://www.fox23.com/news/muskogee-neighbors-start-cleanup-after-flood-damages-homes/article_6b6733c7-4b03-56a1-9880-bf34eaf51506.html).

<sup>3</sup> King, J. (2022, May 6). Muskogee hit by severe floods; city and Red Cross working to help displaced. News Channel 8 Tulsa. <https://ktul.com/news/local/muskogee-hit-by-severe-floods-city-and-red-cross-working-to-help-displaced-impassable-flooding-roads-devastation-mayor-marlon-coleman-homes-destroyed-poles-american-abandoned>

<sup>4</sup> Ellis, A. (2022, May 5). Bridge at risk of collapse in Muskogee County due to severe flooding. News Channel 8 Tulsa. <https://ktul.com/news/local/bridge-at-risk-of-collapse-in-muskogee-county-due-to-severe-flooding>

<sup>5</sup> Ellis, 2022.

<sup>6</sup> National Weather Service, "The Severe Weather and Tornado Outbreak of May 4, 2022" (NOAA), accessed October 25, 2023, <https://www.weather.gov/oun/events-20220504#:~:text=NEWS%20crews%20surveyed%20tornado%20damage>.

<sup>7</sup> "May Rains Dent Drought," Mesonet, June 1, 2022, [https://weather.ok.gov/index.php/news/article/may\\_rains\\_dent\\_drought](https://weather.ok.gov/index.php/news/article/may_rains_dent_drought).

In addition, areas of very heavy rainfall fell across portions of central Oklahoma, generally along and east of the I-35 corridor. Heaviest amounts (around 2-4 inches) occurred across portions of northern Pottawatomie and Seminole counties, where multiple thunderstorms trailed across similar areas into the early morning of May 5<sup>th</sup>.<sup>8</sup>

*Figure 2: Flooding Damage in the Muscogee (Creek) Nation, May 2022*



Source: The Muscogee (Creek) Nation

The disaster impacted housing in rural areas of the state, where there is already a shortage of quality housing. In addition, many of the areas impacted were already less economically developed than other areas of the state. The disaster exacerbated the challenges of poverty in small, low-income, rural communities, some of which were also experiencing the ongoing opioid and fentanyl crisis. The long-term impacts of the disaster in these areas include shortages in quality housing, increased poverty, and even fewer resources.

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<sup>8</sup> National Weather Service.



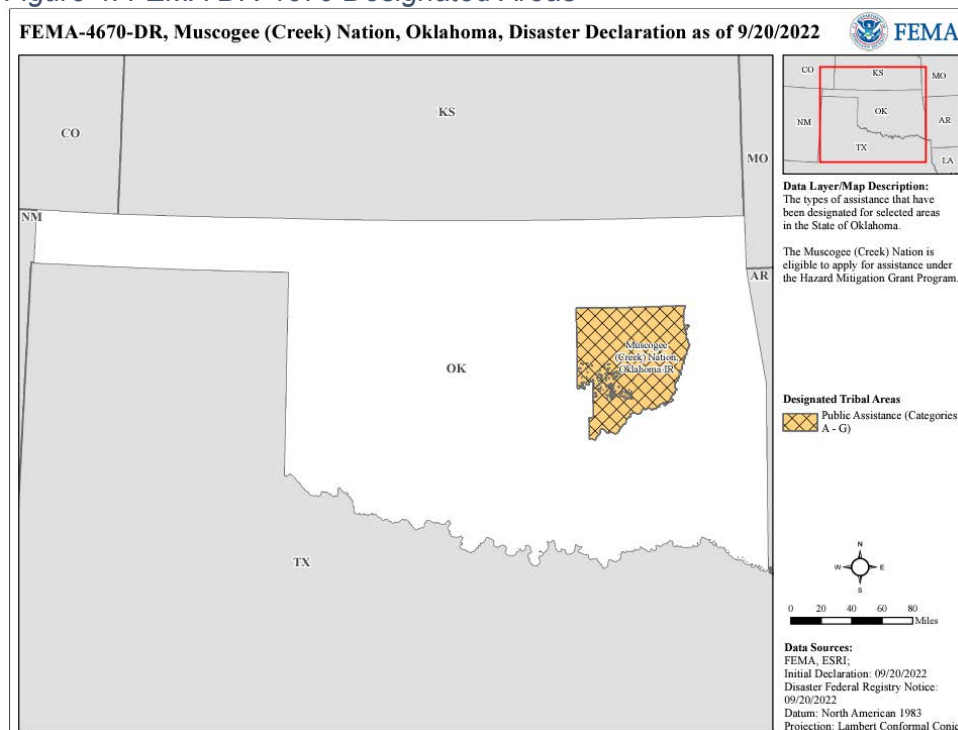
Figure 3: Tornado damage in Seminole, OK.



Source: National Weather Service Norman. May 4<sup>th</sup>, 2022: The Seminole and Earlsboro Tornado Event StoryMap. <https://storymaps.arcgis.com/stories/65f7bdaab3ea48388906c007f41cf233>. June 6<sup>th</sup>, 2022.

Recognizing the extensive damage of the disaster that occurred on May 2-8, 2022, Governor Kevin Stitt of Oklahoma declared a state of emergency and requested federal assistance. President Joseph Biden then signed a presidential disaster declaration on June 30, 2022, authorizing federal agencies to begin recovery for affected individuals in Adair, Cherokee, Muskogee, Okmulgee, Pottawatomie, Seminole, and Tulsa counties (FEMA DR-4657). In addition, a major disaster declaration was made on September 20, 2022, authorizing public assistance to the Muscogee (Creek) Nation (FEMA DR-4670). Local communities impacted by the disaster can apply for FEMA public assistance through the Nation. On May 23, 2023, HUD allocated \$7,473,000 in CDBG-DR funds to the State of Oklahoma in response to this disaster.

Figure 4: FEMA DR-4670 Designated Areas



Source: FEMA, DR-4670 Public Assistance Data, 2022.

Table 1: Tornadoes in Oklahoma May 2-8<sup>th</sup>, 2022

County	Date	F-Scale	Time (CST)	Length of Path (miles)	Width of Path (yards)	Location
Kingfisher	5/2/2022	EF0	1513-1514	0.6	80	2.5 W Loyal
Kingfisher	5/2/2022	EF0	1522-1526	0.9	80	2 WSW - 2 WNW Loyal
Caddo	5/2/2022	EF0	1536-1538	1.6	10	1.2 SW - 0.7 E Hydro
Caddo	5/2/2022	EF1	1613-1614	0.5	240	1.5 N - 1 NNE Cyril
Le Flore	5/2/2022	EF1	1618-1633	5.6	1400	3.6 ENE Howe - 1.9 NNE Monroe
Noble	5/2/2022	EF?	1657-1659	1.4	150	4 NNE - 5 NE Sumner
Payne	5/2/2022	EF1	1726-1733	7	500	3 WSW - 3 E Ripley
Seminole	5/2/2022	EF1	1852-1910	6	700	3 ESE Harjo - 2 SE Seminole
Cherokee	5/2/2022	EF?	2003	0.1	75	2.5 SW Tahlequah
Pottawatomie	5/4/2022	EF0	1723-1733	4.6	100	3 WNW - 1.5 NNW Maud
Pottawatomie	5/4/2022	EF?	1737-1740	1	100	2 NNW - 3 N Maud
Seminole	5/4/2022	EF2	1744-1814	12	1760	4.5 SW Seminole - Seminole - 4 E Little
Seminole	5/4/2022	EF0	1801-1804	2	175	5 NE Seminole - 5 ESE Little
Seminole/Okfuskee	5/4/2022	EF1	1821-1849	14	1350	4 SW Cromwell - 2 WNW Okemah
Okfuskee	5/4/2022	EF1	1844-1845	0.4	150	3.5 SW - 3.1 SW Okemah
Pottawatomie	5/4/2022	EF1	1907-1922	2.3	100	1 ENE Brooksville - 4 SSE Tecumseh
Pottawatomie	5/4/2022	EF2	1928-1935	3.4	150	1 SSE Earlsboro - Earlsboro
Pottawatomie/Seminole	5/4/2022	EF1	1935-1950	5	175	1 SE Earlsboro - 3 NW Seminole
Seminole	5/4/2022	EF1	1958-2002	1.8	150	3 WSW - 2 W Cromwell
Kiowa	5/4/2022	EF?	2052	0.2	20	4 NNE Roosevelt
Tillman	5/4/2022	EF?	2122-2125	1	50	5 SW - 4 SW Loveland
Pittsburg	5/5/2022	EF1	0109-0113	2.4	450	.3 NE - 2.7 ENE Blocker
Bryan	5/5/2022	EF0	1253-1253	0.3	20	Durant (2 NW Downtown)

Source: National Weather Service. "2022 Oklahoma Tornadoes." NOAA. Accessed October 25, 2023.

<https://www.weather.gov/oun/tornadodata-ok-2022>.

Note: No tornadoes were recorded after May 5<sup>th</sup>, 2022. "EF?" indicates not enough available data to make a rating determination.

## 1.3 Summary

The Oklahoma Department of Commerce has identified many remaining unmet needs in communities impacted by the DR 4657 and DR 4670 disasters. ODOC has identified over \$15 million in impacts to housing from the disaster and over \$3 million in infrastructure unmet needs. Data from the Small Business Administration indicates roughly \$3.6 million in impacts to businesses. ODOC, through data collection and engagement with the community, has estimated at least \$12,241,400.48 in remaining unmet needs for all areas.

Approximately 2,588 households were impacted by the disaster and applied for individual assistance from FEMA. Approximately 883 of those households were inspected and had verified damage. 82% of the applicants for assistance were residing in a house or duplex at the time of the disaster. The disaster impacted aging housing stock, in predominantly rural, low-income communities.

ODOC will use a subrecipient model for the distribution of funds. The applications will be open to units of general local government (UGLGs), nonprofits, councils of government (COGs), tribal nations, private utilities, and state agencies.

The Oklahoma Department of Commerce engaged the community in a variety of methods and formats to reach as many different stakeholders and survivors of the disaster as possible. Shortly after receiving confirmation of the allocation from HUD, ODOC created a CDBG-DR 2022 website and mailing list, to begin the engagement process. ODOC created two community engagement surveys which were posted to the CDBG-DR 2022 website and sent directly via email to over 130 community leaders. In addition, ODOC staff directly reached out to and communicated with representatives of key stakeholders multiple times, including the Muscogee (Creek) Nation and Catholic Charities. ODOC has an ongoing relationship with the Oklahoma Department of Emergency Management and Homeland Security (ODEMHS), which administers the State's FEMA emergency funds. ODEMHS provides ODOC with an ongoing picture of recovery and connects the agency with multiple stakeholders and partner organizations after the disaster.

To meet the requirements of HUD's allocation to the State of Oklahoma, ODOC must submit to HUD an Action Plan for Disaster Recovery that identifies the unmet recovery and resilience needs. This Action Plan outlines the proposed use of the CDBG-DR funds and eligible activities available to assist communities in meeting unmet housing, infrastructure, planning, and other needs that have resulted from the May 2022 severe storms and tornadoes. The plan aims to promote and ensure fair housing, repair and improve existing housing stock for all residents, and build and repair infrastructure to be more resilient to future disasters.

As part of the development of the Action Plan, there are opportunities for communities to review and provide feedback on program design, and to comment on how ODOC and municipalities implement the CDBG-DR funds. ODOC will convene at least one public hearing virtually or in a HUD-identified most impacted and distressed (MID) area after the Action Plan is posted on its website for public comment and before submission to HUD. Notice of all hearings will be posted a minimum of ten business days before public hearings. ODOC has published this draft Action Plan in a manner that affords citizens, units of general local government (UGLGs), public agencies, and other interested parties a reasonable opportunity to examine its contents and to submit comments. The plan will remain available on the ODOC website throughout the 30-day public comment period.

The Federal Register Allocation Announcement and Consolidated Notice (88 FR 32046, Notices) requires grantees to demonstrate a reasonably proportionate allocation of resources relative to areas and categories (i.e., housing, economic revitalization, and infrastructure) of greatest needs identified in the impact and unmet needs assessment or provide an acceptable justification for a disproportionate allocation. Due to the size of the grant, the state of Oklahoma has decided to allocate most funds to address the unmet needs in housing and infrastructure. The allocation towards housing will help address unmet needs in economic revitalization by establishing a strong base of consumers in impacted areas. In addition, housing has been identified as a need in the state due to rising housing costs and other economic pressures. The disaster exacerbated the need for housing in Oklahoma by damaging pre-existing low-income housing stock. The infrastructure allocation will increase resilience in impoverished and primarily Native areas of the state, where the impacts of the disaster were greatest. This allocation will maximize the available and existing capacity of ODOC and its partner agencies while catalyzing additional recovery and mitigation impacts.

The Notices also include the following expenditure requirements, which are reflected in the allocation amounts in Table 2:

- Program Administration Costs: Limited to 5%—or \$373,650—of the total allocation.
- Mitigation Activities: At least 15%—or \$975,000—must be used for mitigation activities and/or through the incorporation of mitigation measures into recovery activities. The State will define mitigation activities and establish mitigation measures within each program.
- HUD-Identified Most Impacted and Distressed (MID) Areas: At least 80%—or \$5,978,400—of the total allocation must benefit the HUD-identified MID areas. This includes 80% of expenditures for program administration.
- Benefit to Low- to Moderate-Income (LMI) Persons: At least 70% of the allocation (less planning and administration costs) must be used for activities that benefit LMI persons.

The table below summarizes how the State estimates it will meet or exceed HUD's expenditure requirements. Actual expenditures will be tracked and reported publicly on the CDBG-DR website. Descriptions of how these funding decisions reflect the Unmet and Mitigation Needs Assessments and the State's guiding principles are included within each of the program descriptions further below in the Action Plan.

## 1.4 Unmet Needs and Proposed Allocation

*Table 2: Unmet Needs and Proposed Allocation*

Category	Remaining Unmet Need	% Of Unmet Need	Program Allocation Amount	% Of Program Allocation
Administration	N/A	N/A	\$373,650.00	5%
Planning	N/A	N/A	\$600,000.00	8%
Housing	\$6,337,678.70	51.77%	\$3,299,350.00	44%
Infrastructure	\$3,325,725.00	27.17%	\$3,200,000.00	43%
Economic Development	\$2,577,996.78	21.06%	\$0.00	0%
Total	\$12,241,400.48	100.00%	\$7,473,000.00	100.00%

Source: FEMA, DR-4657 Individual Assistance Data, 2022. SBA, Disaster Loan Data, DR-4657 and DR-4670, 2022. FEMA, DR-4670 Public Assistance Data, 2022. Communication with the Muscogee Nation.

## 2 Unmet Needs Assessment

### 2.1 Overview

HUD allocated \$7.43 million to the State of Oklahoma to address unmet needs from the May 2022 severe storms, tornadoes, and flooding. HUD has identified the Muscogee (Creek) Nation and the 74447 ZIP code of Okmulgee County as the most impacted and distressed (MID) areas. Oklahoma has decided to expand the HUD-identified MID area in ZIP code 74447 to include the entirety of Okmulgee County. The state of Oklahoma is required to spend 80% of funds in HUD-identified MIDs. The State is designating Adair, Cherokee, Muskogee, Pottawatomie, Seminole, and Tulsa Counties as state-identified most impacted and distressed areas. These counties still have approximately \$6.3 million in remaining unmet housing needs because of the disaster and would be well-served by the remaining funds for recovery.

Much of the damage from the disaster to homes was because of tornadoes and flooding. One representative working on disaster case management in an impacted area stated, “Everyone needed a roof,” because of tornadoes in Seminole and Pottawatomie Counties. The initial FEMA preliminary damage report estimated that 599 residences were impacted by DR-4657, with most residences experiencing minor or major damage. Disaster damage data confirmed that the disaster was primarily a housing disaster, with some impact on businesses and nonprofits.

Infrastructure within the Muscogee (Creek) Nation was also greatly impacted, resulting in a disaster declaration that authorized FEMA public assistance funds for the tribe. Representatives of the Nation report multiple flooded, collapsed, and damaged roads, impacting access to medical facilities.

The analysis below and the limited amount of funding available for recovery from this disaster are the primary drivers of the program design identified in Section 4 of the Action Plan. Due to limited funding, the state will still have over \$4 million in identified unmet needs from the disaster. The largest driver of community recovery from the impacts of the disaster will be rebuilding residential housing - which will catalyze economic recovery through the return and expansion of a local tax and customer base - and repairing damaged infrastructure. The investments in housing and infrastructure will promote rebuilding and recovery while increasing resilience to future disasters.

### 2.2 Housing Unmet Need

#### 2.2.1 Disaster Damage and Impacts

##### *Pre-disaster housing conditions:*

In 2015, an Oklahoma Housing Needs Assessment was conducted to evaluate current housing conditions in the state at a county level and to project future housing needs into 2020. This comprehensive housing study found that Oklahoma would need 66,821 new housing units through 2020 to accommodate the state's growing population.<sup>9</sup> Oklahoma's population has grown by 6% from 2010 to 2020.<sup>10</sup> An additional study conducted in 2021 by the Oklahoma Housing Finance Agency and the University of Oklahoma found that over 26% of Oklahomans

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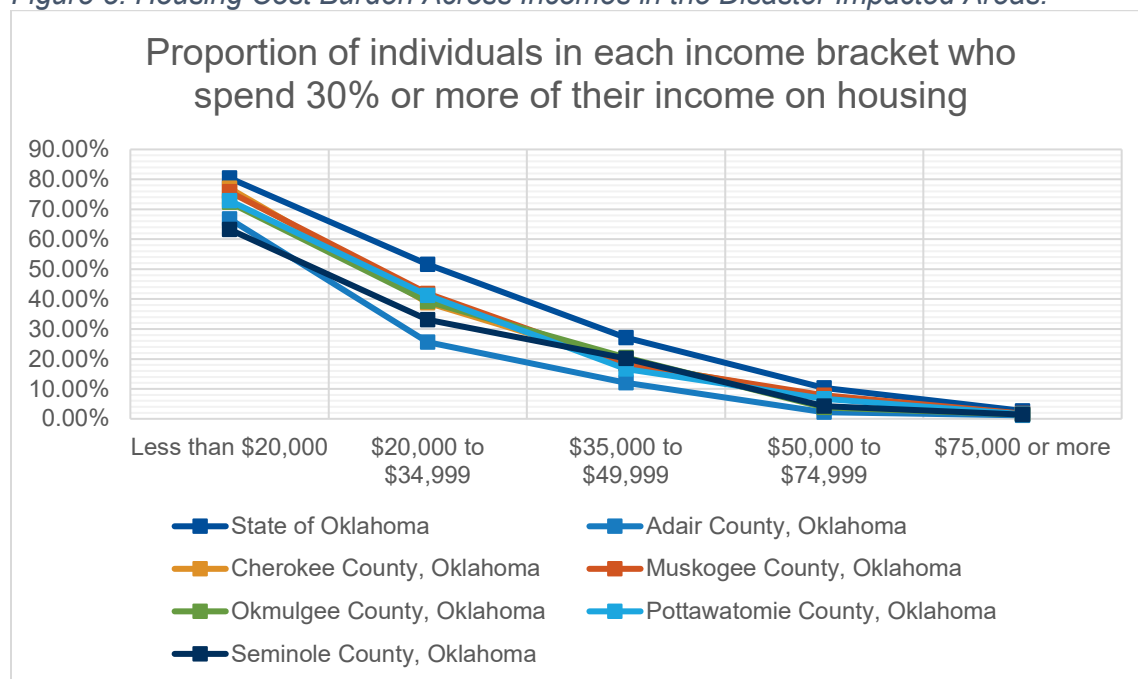
<sup>9</sup> Integra Realty Resources, “Statewide Housing Needs Assessment Executive Summary,” *Oklahoma Housing Needs Assessment*, 2015, <https://oklahomahousingneeds.org/wp-content/uploads/2015/12/Executive-Summary.pdf>.

<sup>10</sup> “Our Changing Population: Oklahoma,” USAFacts, July 2022, <https://usafacts.org/data/topics/people-society/population-and-demographics/our-changing-population/state/oklahoma/>.

are paying more than 30% of their income toward housing costs.<sup>11</sup> This represents a significant portion of the state's population who are overburdened by high housing costs. Figure 5 shows the proportion of individuals in the disaster-impacted areas who spend more than 30% of their income on housing costs. The data is divided by income bracket and shows that the most impoverished Oklahomans are the most likely to spend more than 30% of their income on housing costs.

The disaster struck a predominately rural area, which was projected to need between 1 and 250 new housing units by 2020.<sup>12</sup> Due to nationwide housing market trends post-pandemic, it is expected that these areas meet or exceed the projected need for new housing. With production of new homes largely stalled or stopped entirely throughout the pandemic due to lockdowns and supply chain delays, Oklahoma's need for new housing units has only grown. HUD has labeled 36 of Oklahoma's 77 counties as "priority geographies" for the new Pathways to Removing Obstacles to Housing (PRO Housing) grant program.<sup>13</sup>

*Figure 5: Housing Cost Burden Across Incomes in the Disaster Impacted Areas.*



Source: U.S. Census Bureau. American Community Survey S2503, 5-Year Estimates, 2021. [data.census.gov](https://data.census.gov).

As seen in Table 3, the disaster-impacted areas have high rates of owner-occupied housing. The 2022 disaster struck a primarily rural and suburban area of Oklahoma. Only Tulsa County falls within an urbanized area, according to census data. In a 2021 report, the

<sup>11</sup> Oklahoma Housing Finance Agency, "HOME + Shelter: Pathways to Housing Security in Oklahoma," *HOME-ARP: The Institute for Quality Communities*, 2023, <https://iqc.ou.edu/housing/home-arp/#:~:text=Oklahoma%20HOME%20DARP%20Allocation%20Plan,providers%20and%20agencies%20across%20Oklahoma.>

<sup>12</sup> Integra Realty Resources, "Statewide Maps – Oklahoma Housing Needs Assessment," Oklahoma Housing Needs Assessment, 2015, <https://oklahomahousingneeds.org/statewide-graphs/>.

<sup>13</sup> U.S. Department of Housing and Urban Development, *PRO Housing Priority Geography*, July 26, 2023, <https://hudgis-hud.opendata.arcgis.com/apps/HUD::pro-housing-priority-geography-search/explore>.



perception of rural communities in Oklahoma was that there was a lack of housing, a lack of housing up to code, and available housing was unaffordable.<sup>14</sup>

*Table 3: Owner vs. Renter-Occupied*

<b>Geography</b>	<b>Owner-Occupied (%)</b>	<b>Renter Occupied (%)</b>
Oklahoma	66.06%	33.94%
Adair County	68.04%	31.96%
Cherokee County	67.53%	32.47%
Muskogee County	66.49%	33.51%
Okmulgee County	70.76%	29.24%
Pottawatomie County	70.44%	29.56%
Seminole County	68.44%	31.56%
Tulsa County	59.86%	40.14%
Creek OTSA	64.29%	35.71%

Source: U.S. Census Bureau. American Community Survey S2503, 5-Year Estimates, 2021. [data.census.gov](https://data.census.gov).

In 2021, the Oklahoma Department of Commerce provided grants to communities for COVID recovery using CARES Act funds. These CDBG-CV dollars have primarily gone to help pay rent, mortgage, and utility bills for Oklahomans in rural areas who were impacted by the pandemic and could no longer afford to pay for their housing. This demonstrates a need for housing support in Oklahoma, even in rural areas, where housing costs are typically lower.

Vacancy rates in disaster-impacted areas are like the statewide and national vacancy rates, with homeowner vacancies being much lower than rental vacancy rates. Cherokee County has some of the highest vacancy rates. Pottawatomie County, containing the City of Shawnee, a suburb of Oklahoma City, has very low vacancy rates.

*Table 4: Vacancy Rates*

	<b>Homeowner Vacancy Rate</b>	<b>Rental Vacancy Rate</b>
Adair County	0.7	9.8
Cherokee County	2.3	10.6
Muskogee County	1.8	8.7
Okmulgee County	2.1	7.8
Pottawatomie County	0.9	4
Seminole County	1.6	5.1
Tulsa County	1.5	7.9
Creek OTSA	1.7	8.3

Source: U.S. Census Bureau. American Community Survey DP04, 5-Year Estimates, 2021. [data.census.gov](https://data.census.gov).

Table 5 shows the median home value, median monthly rent, and the number of building permits issued in the impacted areas, and the State of Oklahoma as a whole. Only Tulsa

<sup>14</sup> Oklahoma Housing Finance Agency, "HOME + Shelter: Pathways to Housing Security in Oklahoma," HOME-ARP: The Institute for Quality Communities, 2023, <https://iqc.ou.edu/housing/home-arp/#:~:text=Oklahoma%20HOME%20DARP%20Allocation%20Plan,providers%20and%20agencies%20across%20Oklahoma..>

County and the Muscogee (Creek) Nation (Creek OTSA in the table) have median home values that exceed the State's median home value. Seminole County has a median home value that is nearly half of the statewide median.

*Table 5: Evidence of Cost Burden*

<b>Geographic Area Name</b>	<b>Median Home Value</b>	<b>Median Monthly Rent</b>	<b>Building Permits (2022)</b>
State of Oklahoma	\$150,800.00	\$862.00	13735
Adair County	\$94,200.00	\$563.00	6
Cherokee County	\$132,100.00	\$723.00	23
Muskogee County	\$113,100.00	\$717.00	42
Okmulgee County	\$96,400.00	\$700.00	9
Pottawatomie County	\$129,800.00	\$776.00	92
Seminole County	\$77,200.00	\$669.00	7
Tulsa County	\$168,800.00	\$929.00	2483
Muscogee Creek OTSA, OK	\$163,300.00	\$898.00	no data

Source: U.S. Census Bureau. American Community Survey DP04, 5-Year Estimates, 2021. [data.census.gov](https://data.census.gov). U.S. Census Bureau. Building Permits Survey, 2022. [data.census.gov](https://data.census.gov).

Before the 2022 disaster, residents of the impacted areas suffered from pandemic and disaster-related increased housing costs. The impacted area for the 2022 disaster overlaps significantly with the impacted area for Oklahoma's 2019 disaster. In addition, in 2023, severe storms, straight-line winds, and tornadoes (DR-4721 and DR-4706) impacted some of the same counties that were affected by the 2022 disaster. Pottawatomie County was part of the designated area for DR-4706, and Tulsa and Muskogee Counties were impacted by DR-4721.

Data provided to ODOC from the City of Seminole indicates at least 46 homes in the city and surrounding areas still have unmet needs from the 2022 disaster. These residents continue to live in disaster-damaged homes. The city continues to work with the disaster recovery teams to determine estimates for the cost of repairing these homes. In addition, some members of the community are struggling with mental health after the disaster, impacting their ability to access resources and recover.

After the May 2022 disaster struck, FEMA authorized assistance for households under the Individual and Households (IHP) Program. \$4,920,992.60 of assistance went to housing, and \$553,921.11 was provided for other needs. 878 individual assistance applications were approved. Survivors are likely to have other potential sources of assistance as well. Insurance and charitable donations are the most likely alternative sources of assistance for housing and individuals.<sup>15</sup> Some households may also have qualified for a Small Business Administration loan for their business or home if it was damaged in the disaster. USDA Rural Development provides single-family housing rural disaster home repair grants for low- and very low-income homeowners from the 2022 disaster. This program is only open to applicants in eligible rural areas, reducing the availability of home repair assistance for households in highly impacted urban or suburban areas such as Muskogee, Okmulgee, and Seminole. Consideration of these other sources of assistance when planning for the use of funds can help limit the possibility of duplication between CDBG-DR and other assistance.

Repairing the remaining damaged homes requires as much urgency as possible. The state will use the Urgent Need national objective for the repair of some damaged homes that do

<sup>15</sup> FEMA, DR-4657 Individual Assistance Data, 2022.



not meet the requirements for the low-and moderate-income national objective. Damaged homes pose an immediate and serious risk to the health and welfare of the occupants and community. Occupied damaged homes can lead to negative health impacts associated with mold, DIY repairs, and unsafe or unsanitary housing. Unoccupied or vacant homes can lead to negative health and welfare impacts to that community. Vacant homes can be sites for illegal or illicit activities, and they may not be structurally safe. In addition, the residents impacted by the disaster deserve assistance rapidly so that they can return to a pre-disaster normal. Repairing disaster-damaged homes will help residents recover not just physically and financially, but also emotionally and spiritually. The longer a person must wait for assistance, the more devastating the disaster will be on their lives, regardless of income. Using CDBG-DR funds, owner-occupied disaster-impacted homes (including mobile homes) will be repaired or reconstructed. This program will directly increase available housing, by restoring safe and sanitary housing for many families, thus reducing the demand for other housing from families displaced by the disaster.

Disasters and nationwide trends in home construction have resulted in a shortage of available affordable housing, especially for those households with the lowest incomes. The best resolution to the shortage of housing is the construction of new housing and the rehabilitation of existing housing. For full recovery, housing must be built to be stronger and more resilient to future disasters.

## **2.2.2 Single Family v. Multi-Family Needs; Owner Occupied v. Tenant.**

The average number of owner-occupied units in the disaster-impacted areas is 66.98% (Table 3), and 33.02% are rented units. Most of the housing in the impacted areas is either 1 or 2-family homes, or mobile homes (Table 6). A trend of note is that the percentage of mobile homes in rural areas is much higher than in Tulsa County, a predominately urban county. Tulsa County and the Creek Nation have many more 10+ unit structures than the more rural counties. Thus, the types of housing in the disaster-impacted areas largely follow national trends: the predominant type of housing is owner-occupied, single-family housing. In rural areas, there are more mobile home units, and in urban areas, there are more large multi-family complexes.

As Table 6 and Table 7 demonstrate, the vast majority of disaster impacts (82.15%) occurred in single-family homes or duplexes. 74% of the applicants impacted by the disaster living in a house or duplex were owner-occupants, whereas 25.68% were renters. The large number of single-family or duplex homes impacted by the disaster means that any housing recovery program should be targeted towards single-family homes or duplexes for the most effective and community-oriented program.

While renters make up approximately 30% of impacted disaster survivors, the State has determined that of the remaining \$6.3 million in unmet housing needs after the disaster, only \$32,473.07 appears to be remaining rental housing needs, representing less than 1% of unmet housing needs.<sup>16</sup> FEMA Individual Assistance data shows a remaining unmet rental housing need of approximately \$93,027.50 across the impacted area. The FEMA IA data evaluates personal property loss for renters and shows the amount of the FEMA award for replacing that property. In part, this need was met by the Oklahoma Housing Finance Agency. The Oklahoma Housing Finance Agency administers a program for disaster survivors that provides survivors up to \$1,500 for the payment of one month's rent, rental deposits, utility deposits, and hotel accommodations. The Richard S. Lillard Emergency Housing Assistance Fund was created for disaster survivors, especially renters. This program is specifically designed to help households rapidly find new housing when their homes are uninhabitable due to a disaster. For the May

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<sup>16</sup> FEMA, DR-4657 Individual Assistance Data, 2022. SBA, Disaster Loan Data, DR-4657 and, 2022. Oklahoma Housing Finance Agency Richard S. Lillard Emergency Housing Assistance Fund Data, 2022.

2022 disaster, OHFA provided \$60,599.43 in funds to renters for these eligible expenses. The Lillard Fund, administered by the Oklahoma Housing Finance Agency, specifically addresses the unmet needs of renters after a disaster. The program does not duplicate the purpose of FEMA awards for the replacement of personal property. This fund provided \$71,077.58 in assistance for rapid re-housing to survivors of the May 2022 disaster in Oklahoma, and 85% (\$60,931.43) of those funds went to renters.

OHFA is also currently addressing the needs of renters in the state through multiple rental housing construction programs. The Oklahoma Housing Finance Agency (OHFA) is responsible for administering state-wide housing programs, such as HOME funds and LIHTC, in addition to rental assistance programs, such as Section 8. In 2022, OHFA helped 10,000 families in Oklahoma per month, by providing Housing Choice Voucher Rental Assistance. In addition, there are currently 3,126 affordable housing units under construction in the seven impacted counties, according to OHFA data.

Finally, the State of Oklahoma passed legislation in June of 2023 to fund the construction of single-family homes, multi-family homes, and homebuyer assistance, known as the Oklahoma Housing Stability Program. This program provides \$215 million for these purposes. The Oklahoma Housing Finance Agency is currently accepting applications for this program. These programs and the small amount of unmet need remaining for those impacted by the disaster who were renters indicate that the state has met much or all of the remaining unmet need for rental housing.

Mobile Homes account for the second highest type of impacted housing. 7.3% of all applicants for assistance lived in mobile home units. 77.25% of those applicants owned and occupied a mobile home. 22.75% of impacted households living in mobile home units were tenants. Owner-occupied mobile homes are eligible for repair or reconstruction as part of Oklahoma's single-family housing rehabilitation program.

Under the 2022 CDBG-DR allocation to Oklahoma, ODOC will not be providing funds to rental properties or constructing new affordable housing, as described in this Action Plan. Across the income spectrum, communities of color have lower homeownership rates than whites due to historical and ongoing discriminatory lending and disparate access to home financing. Common barriers to homeownership include limited access to capital because of low credit scores and/or credit "invisibility." These barriers disproportionately impact communities of color. Oklahoma's statewide owner-occupied home rate for whites is 70.15% and is 39.75% for the Black or African American population. This 30.4 percentage point difference represents a disproportionate lack of homeownership among minority populations in the state and indicates systemic racial barriers to homeownership.

The State will monitor affordable rental housing needs and will amend this Action Plan in the future if necessary. As part of that monitoring, the state is reaching out with a request to all PHAs and Community Action Agencies to fill out a webform to determine if remaining unmet need exists as a result of the disaster. Once the state receives the webforms, it will re-assess its need for a program designed to address the needs of renters.

If a large number of respondents express an ongoing need to recover from the disaster, the state will consider completing a substantial amendment to its Action Plan to create a rental rehabilitation or new affordable rental construction housing program. At that time, the state will also consider any waivers it may need to combine CDBG-DR with other state or federal housing programs to make certain CDBG-DR funding is utilized in the most efficient manner to allow for the maximum number of units to be rehabilitated or constructed. ODOC will also consider utilizing any future CDBG-DR funding received for affordable rental housing programs. Currently, the existing \$7.43 million allocation is not large enough to address all of the unmet disaster and mitigation needs identified in the plan. If assistance were to be provided to rental housing, ODOC will use HOME program rents to determine affordable rents where applicable

and in accordance with the alternative requirements described in the Consolidated Notice (88 FR 32062).

*Table 6: Percent Housing Type in Disaster Impacted Areas*

Geographic Area Name	Single-Family/Duplex	Structure with 3-9 units	Structure with 10+ units	Mobile Homes	Boat, RV, van, etc.
Oklahoma	77.00%	6.40%	7.60%	8.80%	0.20%
Adair County	73.10%	3.90%	1.00%	21.90%	0.10%
Cherokee County	68.20%	6.10%	4.80%	20.90%	0.00%
Muskogee County	77.40%	4.20%	7.00%	11.20%	0.20%
Okmulgee County	78.90%	3.60%	2.30%	14.70%	0.30%
Pottawatomie County	79.80%	4.90%	2.80%	12.40%	0.20%
Seminole County	78.20%	3.10%	1.90%	16.40%	0.30%
Tulsa County	73.30%	9.00%	15.40%	2.30%	0.10%
Creek OTSA	73.50%	7.60%	12.70%	6.10%	0.20%

Source: U.S. Census Bureau. American Community Survey DP04, 5-Year Estimates, 2021. [data.census.gov](https://data.census.gov).

*Table 7: Application for FEMA Assistance by Housing Type*

Residence Type	Applicants	Owner-Occupied	% Owner-Occupied	Tenants	% Tenants	Unknown	% Applicants Living in Type
Apartment	117	0	0.00%	117	100.00 %	0	4.52%
Assisted Living Facility	2	0	0.00%	2	100.00 %	0	0.08%
Boat	3	1	33.33%	2	66.67%	0	0.12%
College Dorm	1	0	0.00%	1	100.00 %	0	0.04%
Condo	12	6	50.00%	6	50.00%	0	0.46%
House/Duplex	2126	1580	74.32%	546	25.68%	0	82.15%
Military Housing	1	1	100.00%	0	0.00%	0	0.04%
Mobile Home	189	146	77.25%	43	22.75%	0	7.30%
Other	92	60	65.22%	31	33.70%	1	3.55%
Townhouse	22	8	36.36%	14	63.64%	0	0.85%
Travel Trailer	23	17	73.91%	6	26.09%	0	0.89%
Grand Total	2588	1819	70.29%	768	29.68%	1	

Source: FEMA, DR-4657 Individual Assistance Data, 2022.

#### 2.2.2.1 FEMA Individual Assistance (IA) Owner-Occupied Units

The following tables provide information related to FEMA Individual Assistance (IA) for owner-occupied units and tenant-occupied housing units for the DR-4657 disaster-eligible areas. The Creek Nation is not included, as the DR-4670 disaster was for public assistance only, therefore there is no IA data related to that disaster. The number of applications and unit inspections including those with damage is included. The number of households receiving assistance and the amount of FEMA-verified loss is also outlined in the tables.

*Table 8: Owner-Occupied Unit Applications, DR-4657*

County	Applicants	Inspections	Inspected With Damage	Received Assistance	Total FEMA Verified Loss	Average FEMA Verified Loss
Adair	115	80	52	43	\$172,731.32	\$1,502.01
Cherokee	76	49	23	23	\$106,278.36	\$1,398.40
Muskogee	354	299	190	182	\$971,647.24	\$2,744.77
Okmulgee	391	324	238	221	\$1,454,281.57	\$3,719.39
Pottawatomie	74	54	22	21	\$43,837.08	\$592.39
Seminole	410	287	204	190	\$1,229,039.34	\$2,997.66
Tulsa	399	305	40	32	\$183,766.93	\$460.57

Source: FEMA, DR-4657 Individual Assistance Data, 2022.

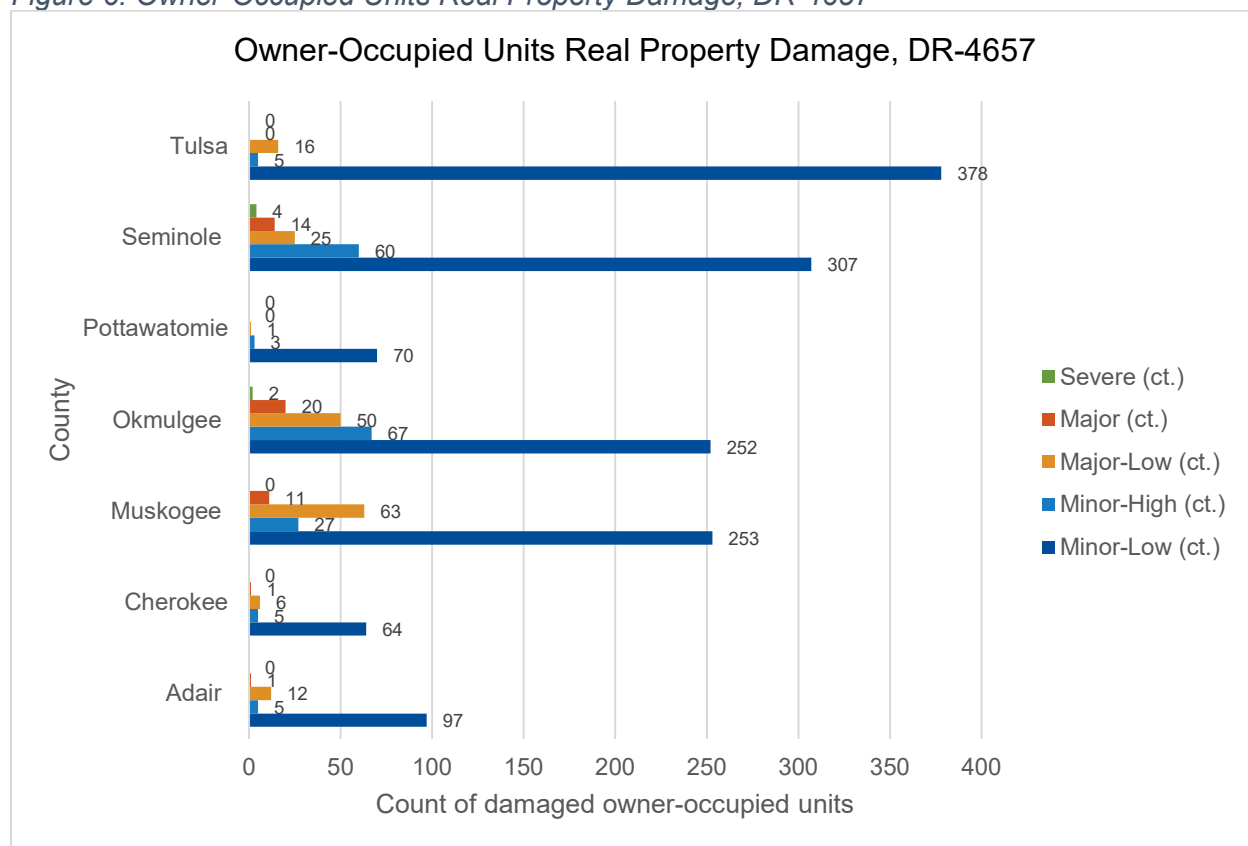
Table 8 shows the number of owner-occupied unit applications and the total FEMA-verified loss. Seminole County has the highest number of applicants, and the second-highest total and average FEMA verified loss. This is especially concerning given the low median value of housing in Seminole County, as seen in Table 5. Okmulgee County has the highest number of properties inspected with damage.

*Table 9: Owner-Occupied Units Real Property Damage, DR-4657*

County	Minor-Low	Minor-High	Major-Low	Major-High	Severe	Total
Adair County	97	5	12	1	0	115
Cherokee County	64	5	6	1	0	76
Muskogee County	253	27	63	11	0	354
Okmulgee County	252	67	50	20	2	391
Pottawatomie County	70	3	1	0	0	74
Seminole County	307	60	25	14	4	410
Tulsa County	378	5	16	0	0	399

Source: FEMA, DR-4657 Individual Assistance Data, 2022.

Figure 6: Owner-Occupied Units Real Property Damage, DR-4657



Source: FEMA, DR-4657 Individual Assistance Data, 2022.

Okmulgee County, a HUD-designated MID, contains the most properties with “major-high” real property damage (Table 9). Seminole County and Tulsa County have the most properties with “minor-low” damage. Seminole County has the highest number of properties with “severe” damage, at 4, and the greatest number of applicants, 410. 204 of Seminole’s 410 applicants were inspected with damage (Table 8).

#### 2.2.2.2 FEMA IA Tenant Applications

FEMA does not inspect rental units for real property damage so personal property damage from the Individuals and Households Program (IHP) reports is used as a proxy for unit damage. The monetary thresholds are defined in Appendix D and are set by HUD. Table 10 and Table 11 provide information on damage to personal property (furniture, belongings, etc.) in tenant-occupied homes, as reported by FEMA.

Table 10: Tenant Applications, DR-4657

County	Applicants	Inspections	Inspected with Damage	Total FEMA Verified Loss	Average FEMA Verified Loss
Adair	20	15	2	\$2,786.26	\$139.31
Cherokee	28	25	6	\$11,433.54	\$408.34
Muskogee	103	86	20	\$81,843.63	\$794.60
Okmulgee	93	79	27	\$76,022.24	\$817.44
Pottawatomie	42	29	4	\$4,358.98	\$103.79
Seminole	154	131	47	\$55,488.11	\$360.31

Tulsa	328	253	8	\$38,822.46	\$118.36
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Source: FEMA, DR-4657 Individual Assistance Data, 2022.

Muskogee, Okmulgee, and Seminole County have the highest FEMA Verified Loss for rental units. Seminole County has the highest number of units inspected with damage.

*Table 11: Tenant Personal Property Damage, DR-4657*

County	Minor Low	Minor High	Major Low	major High	Severe	Total
Adair County	19	1	0	0	0	20
Cherokee County	24	2	2	1	0	29
Muskogee County	83	6	3	9	2	103
Okmulgee County	75	6	4	6	2	93
Pottawatomie County	40	2	0	0	0	42
Seminole County	132	15	4	3	0	154
Tulsa County	321	3	1	2	1	328
Grand Total	694	35	14	21	5	769

Source: FEMA, DR-4657 Individual Assistance Data, 2022.

Muskogee, Okmulgee, and Tulsa County appear to have experienced significant impacts on tenants from the disaster. All three counties are the only counties with severe damage to personal property experienced by tenants (Table 11).

### 2.2.3 Public Housing and Affordable Housing

The following sections provide tables for documenting damages to HUD-assisted multi-family housing and public housing. ODOC reached out to local governments and twelve local public housing authorities (PHAs) on July 13, 2023, and August 24, 2023, and received no reports of damage from the disaster to date. ODOC will update the tables if new data becomes available.

In a 2021 report, the perception of rural communities in Oklahoma was that there was a lack of housing, a lack of housing up to code, and available housing was unaffordable.<sup>17</sup> Disasters and nationwide trends in home construction have resulted in a shortage of available affordable housing, especially for those households with the lowest incomes.

Existing programs across the state are addressing the affordable rental housing needs of low-to-moderate-income individuals. The Oklahoma Housing Finance Agency (OHFA) is responsible for administering state-wide housing programs, such as HOME funds and LIHTC, in addition to rental assistance programs, such as Section 8. OHFA also funds a program specifically for disaster recovery, that provides \$1500 to survivors after a presidential disaster declaration. These funds can be used for interim housing needs after the disaster. This program provided \$71,077.58 to survivors of the May 2022 disaster for rapid re-housing when homes were made uninhabitable by the disaster. OHFA currently administers affordable housing funds for over 3,000 new affordable housing units under construction in the disaster-impacted counties.

The Oklahoma Department of Commerce administers the Emergency Solutions Grant (ESG) program for rapid re-housing or homelessness prevention. The State of Oklahoma passed legislation in June of 2023 to fund the construction of single-family homes, multi-family

<sup>17</sup> Oklahoma Housing Finance Agency, "HOME + Shelter: Pathways to Housing Security in Oklahoma," HOME-ARP: The Institute for Quality Communities, 2023, <https://iqc.ou.edu/housing/home-arp/#:~:text=Oklahoma%20HOME%20DARP%20Allocation%20Plan,providers%20and%20agencies%20across%20Oklahoma..>

homes, and homebuyer assistance, known as the Oklahoma Housing Stability Program. This program provides \$215 million for these purposes. The Oklahoma Housing Finance Agency is currently accepting applications for this program. These programs, in addition to CDBG-DR funds for housing rehabilitation, are improving housing in Oklahoma.

The best resolution to the shortage of housing is the construction of new housing and the rehabilitation of existing housing. For full recovery, housing must be built to be stronger and more resilient to future disasters.

There are approximately 62 HUD-assisted multi-family properties in the disaster-impacted areas. To date, there have been no reports of damage to these properties because of the disaster.

There are 12 Public Housing Authorities within the disaster-impacted areas. In addition, the Muscogee Creek Nation has a Department of Housing that operates and constructs affordable housing. All 12 PHAs were contacted on August 24<sup>th</sup>, 2023. In addition, in a meeting with representatives of the Muscogee Nation, no additional public housing repairs or damages were reported. If additional data becomes available, ODOC will update the table.

### 2.2.3.1 [Multifamily Assisted Housing](#)

*Table 12: Multifamily Assisted Housing*

Type Of Damage	# Of Properties	# Of Units	# Of Units Assisted	# Of Units Waiting Assistance	Remaining Unmet Need
No damage reported	N/A	N/A	N/A	N/A	N/A

Source: ODOC Outreach

Note: FEMA does not inspect rental units for real property damage so personal property damage is used as a proxy for unit damage. The monetary thresholds are defined in Appendix D.

### 2.2.3.2 [Public Housing Authorities Damaged](#)

*Table 13: Public Housing Authorities Damaged*

County/Municipality	Total # PHAs	Total PHAs Damaged	# Of Units Damaged	Remaining Unmet Need
Adair	N/A	N/A	N/A	N/A
Cherokee	N/A	N/A	N/A	N/A
Muskogee	3	N/A	N/A	N/A
Okmulgee	2	N/A	N/A	N/A
Pottawatomie	2	N/A	N/A	N/A
Seminole	4	N/A	N/A	N/A
Tulsa	1	N/A	N/A	N/A
Muscogee (Creek) Nation	1	N/A	N/A	N/A

Source: Oklahoma Public Housing Authorities

## 2.2.4 Fair Housing, Civil Rights Data, and Advancing Equity

Oklahoma is committed to using data, performance metrics, and quantitative data to ensure programs advance equity and reduce barriers. This section describes the policies and regulations Oklahoma will follow relating to fair housing, civil rights, and equity, and describes how programs will impact traditionally underserved communities and advance equity. The section includes relevant data and analysis surrounding race, disability, social vulnerability, protected classes, environmental hazards, and limited English proficiency.

ODOC is required to use its CDBG-DR funds in a manner that complies with its fair housing and nondiscrimination obligations, including Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq., the Fair Housing Act, 42 U.S.C. 3601-19, section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794, the Americans with Disabilities Act of 1990, 42 U.S.C. 12131 et seq., and section 109 of the HCDA, 42 U.S.C. 5309. To comply with these requirements, ODOC must assess whether its planned use of funds will have an unjustified discriminatory effect on or

failure to benefit racial and ethnic minorities in proportion to their communities' needs, particularly in racially and ethnically concentrated areas of poverty, and how it will address the recovery needs of impacted individuals with disabilities. The data for this assessment is included below. ODOC's planned 2022 CDBG-DR programs will not have an unjustified effect, nor will they fail to benefit racial and ethnic minority communities, especially those in concentrated areas of poverty.

Oklahoma's planned use of CDBG-DR funds will advance equity, promote housing for vulnerable populations, and benefit households in areas of concentrated poverty. Low-income residents impacted by the disaster will have the ability to completely repair damaged homes and will build homes back to a higher standard than before. The repaired homes will be more resilient to future disasters and will be more valuable, thereby increasing wealth for members of the community. As part of ODOC's housing rehabilitation program, ADA accessibility upgrades or additions will be funded, thus increasing the availability of integrated, accessible housing and supportive services. Often, after the disaster, those with access to resources repair their homes and move on from the impacts of the disaster as quickly as possible. CDBG-DR funds frequently are only available to a community one to three years after the initial impacts of the disaster. Those households still needing assistance that far from the date of the disaster are often the most under-resourced and vulnerable. ODOC's 2022 CDBG-DR allocation will benefit these populations, which include the elderly, those with access and functional needs, and low-income families with children. The program will prioritize low-income households first. Remaining funds may be used towards non-LMI households with an urgent need.

In addition, the State will spend 80% of funds in the HUD MID, which encompasses the Muscogee (Creek) Nation, which includes Okmulgee County, a tribal population typically underserved by disaster recovery funds.<sup>18</sup> This investment in infrastructure in the Muscogee Nation can begin to address prior disinvestment in infrastructure in this area, which is highly impoverished and disadvantaged. Eighty percent of funds for homeowner rehabilitation and repair will also be dedicated to the Muscogee (Creek) Nation's tribal lands, which includes the second HUD MID – Okmulgee County. The current program design will not fail to benefit this community.

Across the income spectrum, communities of color have lower homeownership rates than whites due to historical and ongoing discriminatory lending and disparate access to home financing. Common barriers to homeownership include limited access to capital because of low credit scores and/or credit "invisibility." These barriers disproportionately impact communities of color. Oklahoma's statewide owner-occupied home rate for whites is 70.15% and is 39.75% for the Black or African American population. This 30.4 percentage point difference represents a disproportionate lack of homeownership among minority populations in the state and can indicate systemic racial barriers to homeownership.

Market rate rental housing is often owned and operated by households or corporations with insurance and access to loans and other resources for repairing damage to homes after a disaster. The owners of these properties would likely not qualify as low- to moderate-income households. When a rental home is damaged after a disaster, a tenant often must wait for the landlord to repair the home or find alternative housing. For this reason, disaster-impacted renters can be extremely challenging to locate multiple years after a disaster. In addition, many of their needs for interim rental assistance and/or replacement personal property are met by FEMA and Oklahoma Housing Finance Agency disaster programs.

To address the potential for discriminatory impact, due to a lack of programs for renters, the State will monitor affordable rental housing needs and will amend this Action Plan in the

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<sup>18</sup> Allison Herrera, "Trying to Get Disaster Aid? It's Harder for Indigenous People," Center for Public Integrity, November 6, 2019, <https://publicintegrity.org/environment/one-disaster-away/when-disaster-strikes-indigenous-communities-receive-unequal-recovery-aid/>.



future if necessary. As part of that monitoring, the state is reaching out with a request to all PHAs and Community Action Agencies to fill out a webform to determine if remaining unmet need for rental housing exists as a result of the disaster. Once the state receives the webforms, it will re-assess its need for a program designed to address the needs of renters. If a large number of respondents express an ongoing need to recover from the disaster, the state will consider completing a substantial amendment to its Action Plan to create a rental rehabilitation or new affordable rental construction housing program. At that time, the state will also consider any waivers it may need to combine CDBG-DR with other state or federal housing programs to make certain CDBG-DR funding is utilized in the most efficient manner to allow for the maximum number of units to be rehabilitated or constructed.

In addition, ODOC will conduct or require subrecipients to conduct outreach for housing programs in a manner that targets racial and ethnic minority communities, to ensure their participation if eligible. It will also consider utilizing any future CDBG-DR funding received for affordable rental housing programs. Currently, the existing \$7.43 million allocation is not large enough to address all the unmet disaster and mitigation needs identified in the plan, nor is it large enough to support the capacity required to implement affordable rental housing programs.

*Table 14: Percent of Owner-Occupied Units by Race/Ethnicity in the Disaster Impacted Area*

<b>Race or Ethnicity</b>	<b>Oklahoma</b>	<b>Adair County</b>	<b>Cherokee County</b>	<b>Muskogee County</b>	<b>Okmulgee County</b>	<b>Pottawatomie County</b>	<b>Seminole County</b>	<b>Tulsa County</b>	<b>Creek OTSA</b>
White	70.15%	68.05%	71.16%	70.07%	73.93%	73.83%	75.14%	65.06%	68.56%
Black or African American	39.75%	35.00%	36.36%	51.64%	58.94%	31.44%	46.88%	34.03%	32.88%
American Indian and Alaska Native	63.30%	67.63%	62.97%	68.85%	61.55%	58.17%	50.49%	59.32%	64.57%
Asian	60.77%	97.33%	60.00%	65.00%	84.09%	55.65%	60.00%	59.36%	61.85%
Native Hawaiian and Other Pacific Islander	25.99%	0.00%	22.22%	0.00%	0.00%	0.00%	0.00%	9.92%	8.72%
Some other race	56.89%	59.03%	49.76%	55.28%	75.00%	49.70%	83.93%	55.02%	57.48%
Two or more races	58.00%	76.09%	60.05%	61.97%	66.87%	58.23%	66.19%	50.31%	54.58%
Hispanic or Latino origin	53.75%	69.23%	57.95%	59.26%	53.76%	52.51%	68.22%	50.21%	51.84%
White alone, not Hispanic or Latino	71.07%	67.82%	71.45%	70.28%	74.49%	74.31%	75.53%	66.11%	69.50%

Source: U.S. Census Bureau. American Community Survey S2502, 5-Year Estimates, 2022. [data.census.gov](https://data.census.gov).

While ODOC is not directly funding programs with CDBG-DR funds that address transitional housing, homelessness prevention, or special needs populations, ODOC is an active and committed member of the Oklahoma Housing Task Force, which coordinates housing resources before and after a disaster for survivors. By leveraging existing partnerships, ODOC can connect survivors with resources that prevent or address homelessness; provide transitional, emergency, or permanent supportive housing; meet the needs of persons with access and functional needs; support and provide resources for victims of domestic violence, persons with alcohol or other substance-use disorders, persons with HIV/AIDS and their families, and public housing residents.

ODOC understands disaster survivors are frequently fatigued from navigating multiple complex disaster recovery bureaucracies. ODOC is committed to maintaining transparency and working actively with survivors to guide them through programs. ODOC will ensure access for those with limited English proficiency through translation and interpretation services offered as described in the state's language access plan.<sup>19</sup> ODOC provides critical disaster-related information in accessible formats, such as tagged PDFs. ODOC plans to work with Disaster Case Managers to help subrecipients design and implement programs that meet survivors where they are. ODOC also intends to work with Disaster Case Management when beneficiaries are applying for CDBG-DR programs. These case managers guide survivors on their road to recovery and help them access disaster recovery resources.

Public services such as disaster case management are necessary to complement the housing rehabilitation activities as planned. This service will help survivors navigate the complex disaster recovery system, Disaster victims seeking help often encounter complex eligibility requirements and application processes. For many, the terms "eligibility criteria," "duplication of benefits," "AMI," "LMI," and "environmental review" are foreign concepts, and the documentation required to comply with these requirements is often not readily available. Disaster case managers can advocate for survivors and ensure that they are able to get the help they need. Currently, other public services are not necessary for the program. The State will monitor the housing program and determine if additional services are necessary, especially those surrounding legal aid. If services are required, they will be added via a substantial amendment to this Action Plan. All provided public services will be accessible to those with disabilities. The state will employ translation and interpretation services as needed, and will provide accommodations for survivors with mobility, sensory, developmental, emotional, cognitive, and other impairments as needed.

Often, the most vulnerable populations are the most heavily impacted by a disaster, and the least able to easily access resources. While LMI populations often intersect with protected class groups, ODOC cannot assume that LMI-targeted activities will ensure that racial and ethnic communities benefit in proportion to their needs. The state has conducted this analysis to show that while all unmet needs from the disaster may not be met, the agency is doing what it can to help the most impoverished and vulnerable disaster survivors. ODOC is committed to providing accommodations and conducting outreach to communities on an ongoing basis to ensure that the needs of minorities, protected classes, and historically underserved populations are met to the extent possible, given capacity and funding limitations. The programs will not have an unjustified discriminatory effect on or fail to benefit protected classes. Regulatory and funding challenges associated with CDBG-DR limit the state's ability to eliminate all barriers to access and to fully fund the needs of all impacted survivors. However, ODOC is committed to designing programs that are accessible, effective, and meet the statutory requirements of CDBG-DR.

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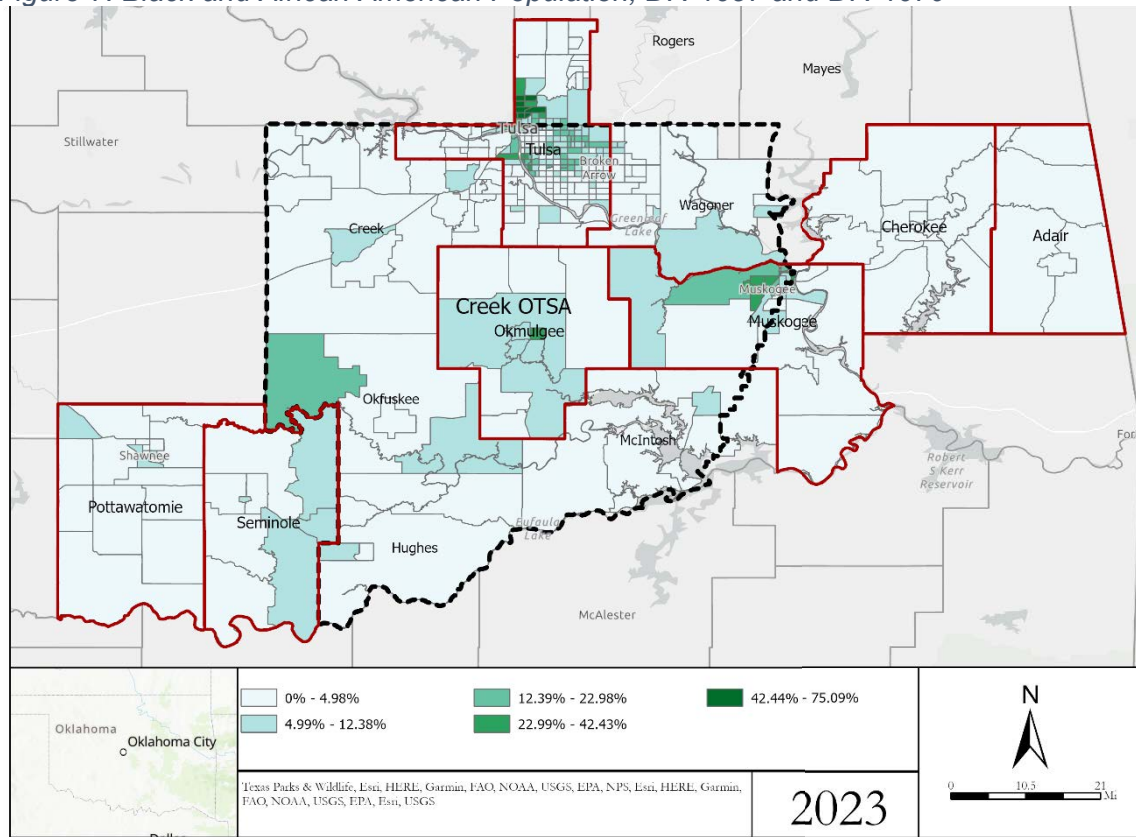
<sup>19</sup> <https://www.okcommerce.gov/wp-content/uploads/Citizen-Participation-Plan-2024-Draft.pdf>

Table 15: Race by County and OTSA

Geography	Label	Total population	White	Black or African American	American Indian and Alaska Native	Asian	Native Hawaiian and Other Pacific Islander	Some other race
Oklahoma	Estimate	3,948,136	2,752,553	284,536	303,792	88,601	6,760	118,507
	Percent	100.00 %	69.72%	7.21%	7.69%	2.24%	0.17%	3.00%
Adair County	Estimate	19,839	7,862	83	8,706	215	12	774
	Percent	100.00%	39.63%	0.42%	43.88%	1.08%	0.06%	3.90%
Cherokee County	Estimate	47,307	22,938	577	16,047	452	25	788
	Percent	100.00%	48.49%	1.22%	33.92%	0.96%	0.05%	1.67%
Muskogee County	Estimate	66,881	37,376	6,795	12,415	425	6	2,606
	Percent	100.00%	55.88%	10.16%	18.56%	0.64%	0.01%	3.90%
Okmulgee County	Estimate	37,046	23,540	2,813	5,724	186	19	235
	Percent	100.00%	63.54%	7.59%	15.45%	0.50%	0.05%	0.63%
Pottawatomie County	Estimate	72,331	53,351	2,256	10,198	529	76	439
	Percent	100.00%	73.76%	3.12%	14.10%	0.73%	0.11%	0.61%
Seminole County	Estimate	23,798	15,691	1,066	4,884	44	10	140
	Percent	100.00%	65.93%	4.48%	20.52%	0.18%	0.04%	0.59%
Tulsa County	Estimate	664,084	445,871	65,577	35,029	23,575	796	23,004
	Percent	100.00%	67.14%	9.87%	5.27%	3.55%	0.12%	3.46%
Creek OTSA, OK	Estimate	809,447	565,378	56,485	61,900	24,193	553	17,979
	Percent	100.00%	69.85%	6.98%	7.65%	2.99%	0.07%	2.22%

Source: U.S. Census Bureau. American Community Survey DP05, 5-Year Estimates, 2021. data.census.gov.

Figure 7: Black and African American Population, DR-4657 and DR-4670



Source: U.S. Census Bureau, 2020 Decennial Census. [data.census.gov](https://data.census.gov).

Figure 8: Native American Population, DR-4657 and DR-4670

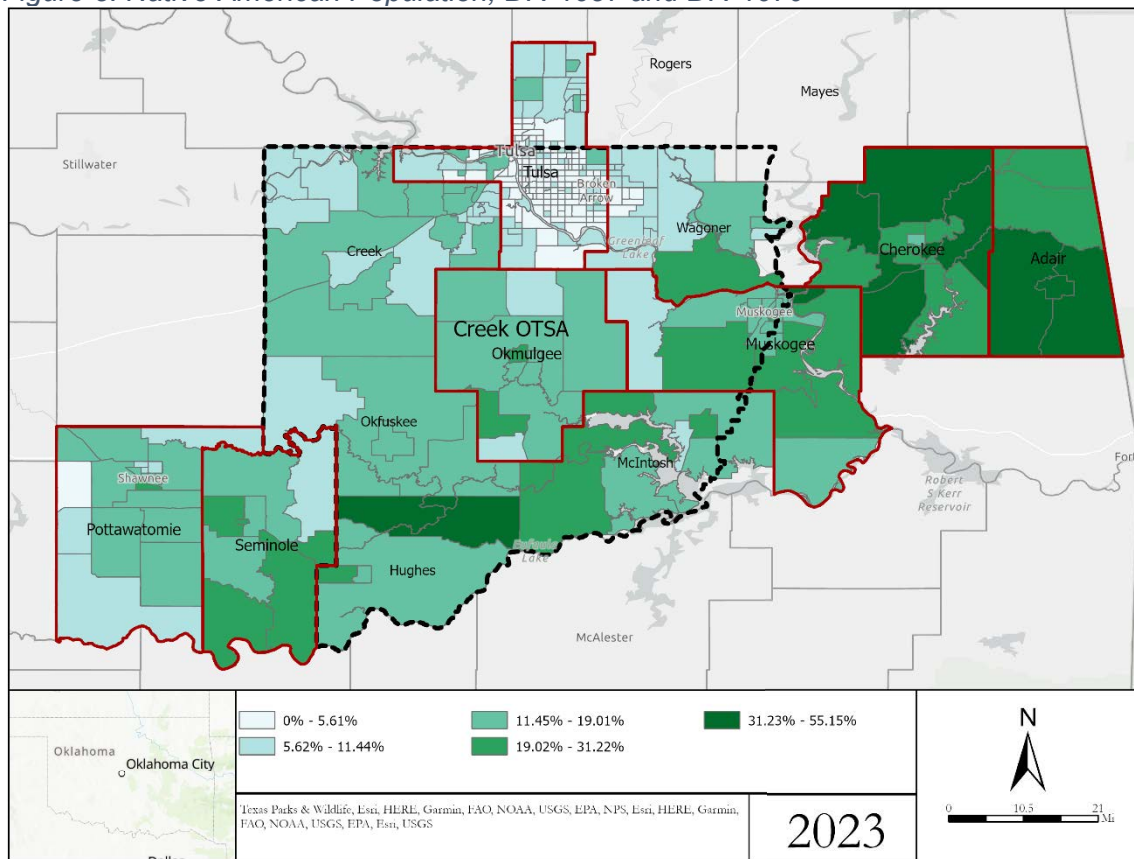


Figure 9: Asian Population, DR-4657 and DR-4670

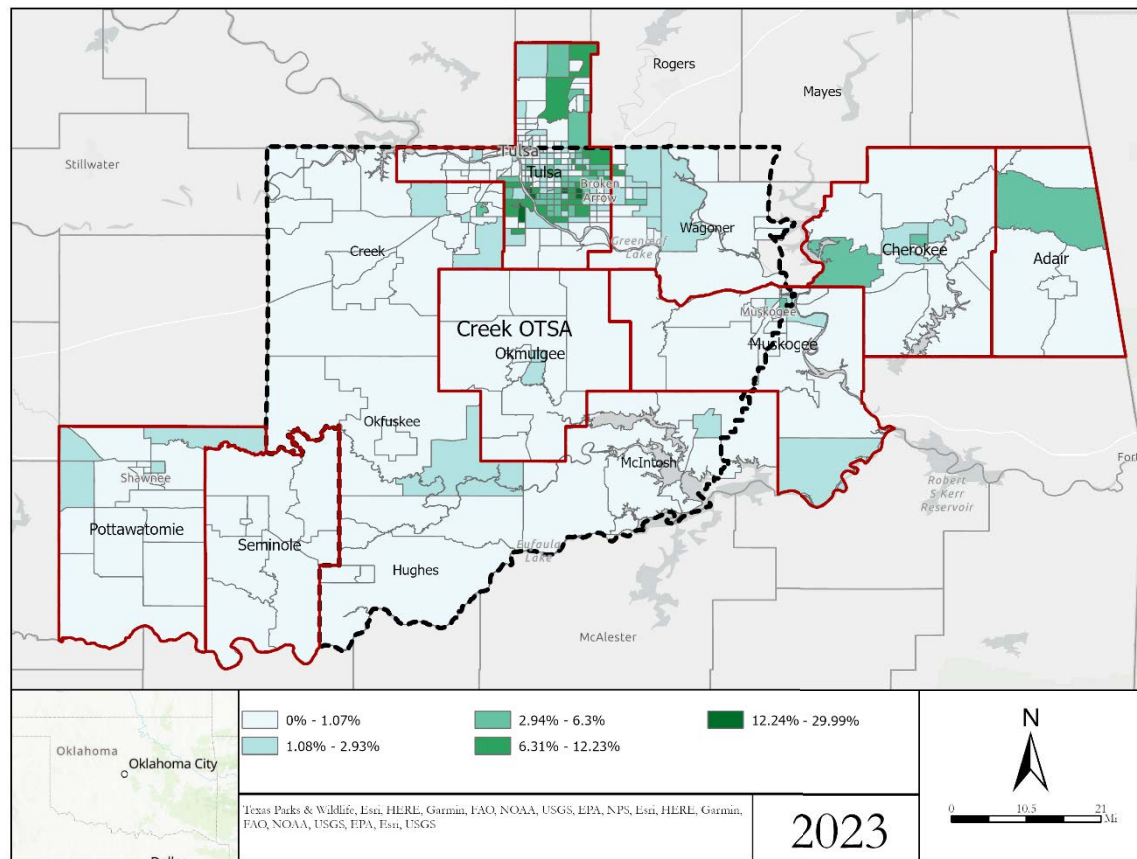
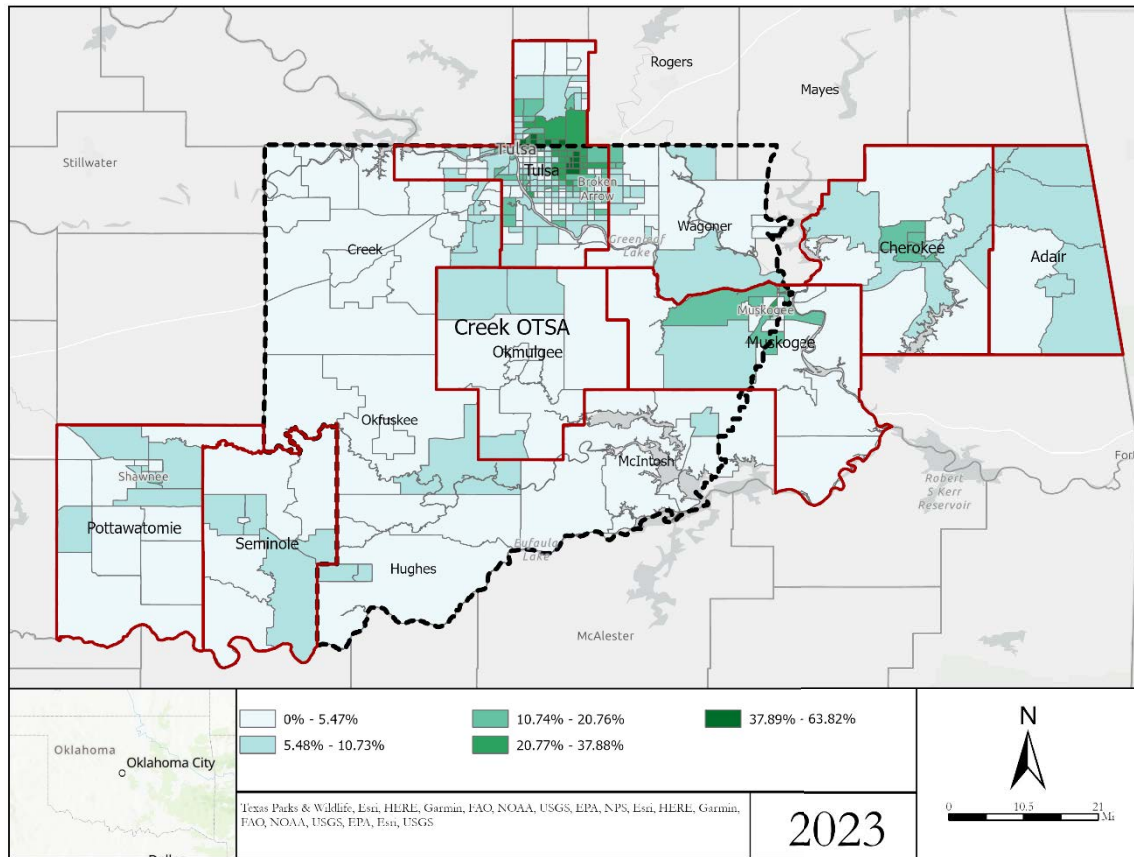




Figure 10: Hispanic Population, DR-4657 and DR-4670



Source: U.S. Census Bureau, 2020 Decennial Census. [data.census.gov](https://data.census.gov).

Table 16: Population with a Disability in Impacted Areas

Geographic Area	Total Population	Population with a Disability	Percent with a Disability
Oklahoma	3,869,212	631,051	16.3%
Adair County	19,723	4,114	20.9%
Cherokee County	46,947	9,375	20.0%
Muskogee County	64,226	13,570	21.1%
Okmulgee County	36,413	7,939	21.8%
Pottawatomie County	70,516	12,848	18.2%
Seminole County	23,422	5,611	24.0%
Tulsa County	659,288	88,597	13.4%
Creek OTSA, OK	798,829	115,805	14.5%

Source: U.S. Census Bureau, American Community Survey S1810, 5-Year Estimates, 2021, [data.census.gov](https://data.census.gov).

Table 17: National Origin in the Disaster Impacted Areas

Geography		Place of Birth			Region of Birth of Foreign Born					
		Born in United States	Born in Puerto Rico, U.S. Island areas, or born abroad to American parent(s)	Foreign born	Europe	Asia	Africa	Oceania	Latin America	Northern America
Oklahoma	Estimate	3,682,425	44,040	244,032	17,152	67,760	13,740	3,409	137,155	4,816
	Percent	92.7%	1.1%	6.1%	7.0%	27.8%	5.6%	1.4%	56.2%	2.0%
Adair County	Estimate	19,192	71	463	39	115	11	4	291	3
	Percent	97.3%	0.4%	2.3%	8.4%	24.8%	2.4%	0.9%	62.9%	0.6%
Cherokee County	Estimate	45,745	268	1,399	75	316	13	10	939	46
	Percent	96.5%	0.6%	3.0%	5.4%	22.6%	0.9%	0.7%	67.1%	3.3%
Muskogee County	Estimate	64,215	541	1,850	43	427	95	5	1,183	97
	Percent	96.4%	0.8%	2.8%	2.3%	23.1%	5.1%	0.3%	63.9%	5.2%
Okmulgee County	Estimate	36,431	70	399	20	159	-	4	206	10
	Percent	98.7%	0.2%	1.1%	5.0%	39.8%	0.0%	1.0%	51.6%	2.5%
Pottawatomie County	Estimate	70,829	540	1,365	218	411	65	54	533	84
	Percent	97.4%	0.7%	1.9%	16.0%	30.1%	4.8%	4.0%	39.0%	6.2%
Seminole County	Estimate	22,966	107	519	61	133	11	10	291	13
	Percent	97.3%	0.5%	2.2%	11.8%	25.6%	2.1%	1.9%	56.1%	2.5%
Tulsa County	Estimate	600,845	7,706	60,372	4,299	17,606	3,343	621	33,559	944
	Percent	89.8%	1.2%	9.0%	7.1%	29.2%	5.5%	1.0%	55.6%	1.6%
Creek OTSA, OK	Estimate	751,873	7,837	58,024	4,788	18,284	3,598	431	29,823	1,100
	Percent	91.9%	1.0%	7.1%	8.3%	31.5%	6.2%	0.7%	51.4%	1.9%

Source: U.S. Census Bureau, American Community Survey DP02, 5-Year Estimates, 2022, data.census.gov.



Table 18: Familial Status

Geography	Households with one or more people under 18 years		Households with one or more people 65 years and over	
	Estimate	Percent	Estimate	Percent
Oklahoma	483,568	31.8%	455,692	29.9%
Adair County	2,231	32.6%	2,317	33.8%
Cherokee County	5,224	29.0%	6,153	34.2%
Muskogee County	8,272	32.3%	8,409	32.9%
Okmulgee County	4,306	30.8%	5,062	36.2%
Pottawatomie County	8,335	31.5%	8,664	32.8%
Seminole County	2,951	34.6%	3,039	35.6%
Tulsa County	82,440	31.2%	73,167	27.7%
Creek OTSA, OK	99,389	31.1%	95,265	29.8%

Source: U.S. Census Bureau, American Community Survey DP02, 5-Year Estimates, 2022, data.census.gov.

Table 19: Religion in the Disaster Impacted Counties

Religious Tradition	Adair County	Cherokee County	Muskogee County	Okmulgee County	Pottawatomie County	Seminole County	Tulsa County	Grand Total
Black Protestant	-	-	2,812	612	1,004	228	13,886	18,542
Buddhism	-	-	-	-	-	-	97	97
Catholic	100	1,629	1,844	925	2,872	1,178	52,881	61,429
Evangelical Protestant	10,496	13,225	40,027	20,283	36,042	10,100	266,338	396,511
Hinduism	-	-	-	-	-	-	795	795
Islam	-	-	-	-	-	-	5,359	5,359
Jehovah's Witnesses	102	200	560	210	726	204	6,276	8,278
Judaism	-	-	-	-	-	-	2,138	2,138
Latter-day Saints	-	390	536	487	-	244	6,435	8,092
Mainline Protestant	452	2,466	4,232	2,464	3,226	1,652	69,802	84,294
Orthodox	-	-	-	-	-	-	837	837
Other	36	59	78	8	24	48	197	450
Other Christians	-	32	-	-	-	-	3,409	3,441
Grand Total	11,186	18,001	50,089	24,989	43,894	13,654	428,450	590,263

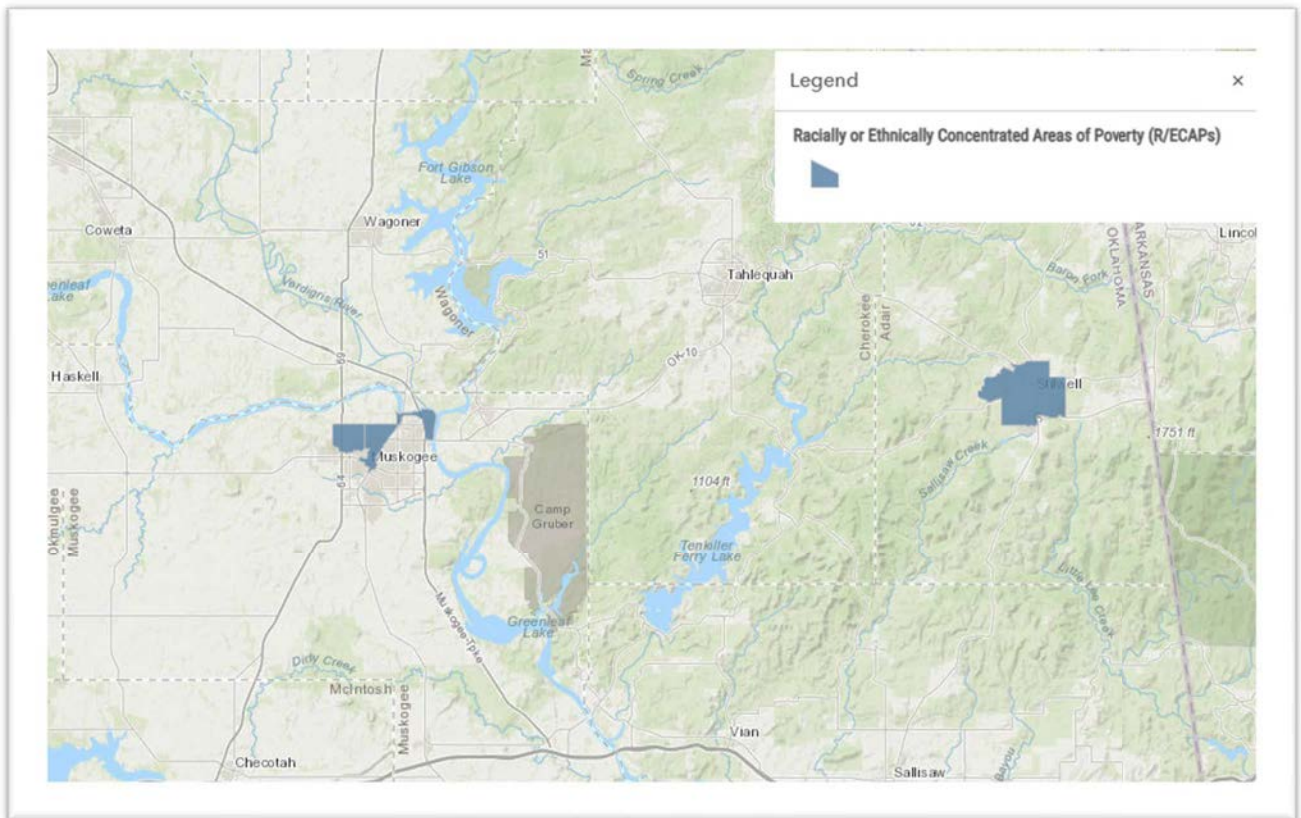
Source: U.S. Religion Census, the Association of Religion Data Archives, 2020, <https://www.thearda.com/us-religion/census/congregational-membership>.

Note: "Other" includes Baha'i and Jain religious bodies.

Maps of racially or ethnically concentrated areas of poverty focus on Tulsa, Muskogee, and Adair Counties, as these are the only counties in the disaster-impacted areas with any identified racially and ethnically concentrated areas of poverty. The City of Muskogee is included in the HUD MID area of the Muskogee (Creek) Nation, but Adair County is not within the Nation. The southern portion of Tulsa County is part of the Creek Nation. The boundary roughly follows Interstate 244 through the city of Tulsa, and two of the ten census tracts that are

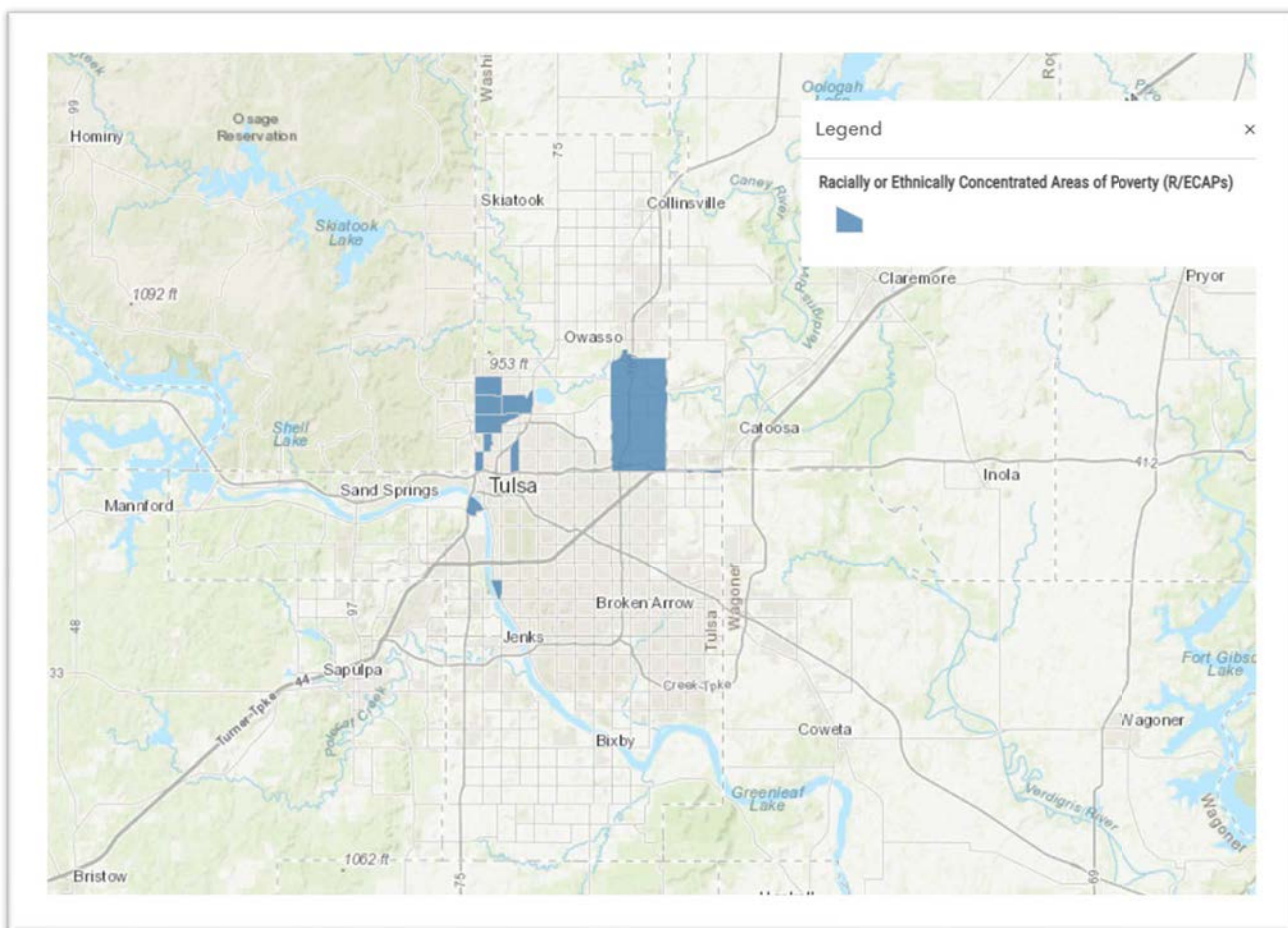
considered racially or ethnically concentrated areas of poverty in Tulsa County are a part of the Nation, and therefore the HUD MID.

*Figure 11: Racially or Ethnically Concentrated Areas of Poverty: Muskogee and Adair Counties*



Source: U.S. Department of Housing and Urban Development, "Racially or Ethnically Concentrated Areas of Poverty (R/ECAPs)," [hudgis-hud.opendata.arcgis.com](https://hudgis-hud.opendata.arcgis.com), August 21, 2023, [https://hudgis-hud.opendata.arcgis.com/datasets/56de4edea8264fe5a344da9811ef5d6e\\_15/about](https://hudgis-hud.opendata.arcgis.com/datasets/56de4edea8264fe5a344da9811ef5d6e_15/about).

Figure 12: Racially or Ethnically Concentrated Areas of Poverty: Tulsa County

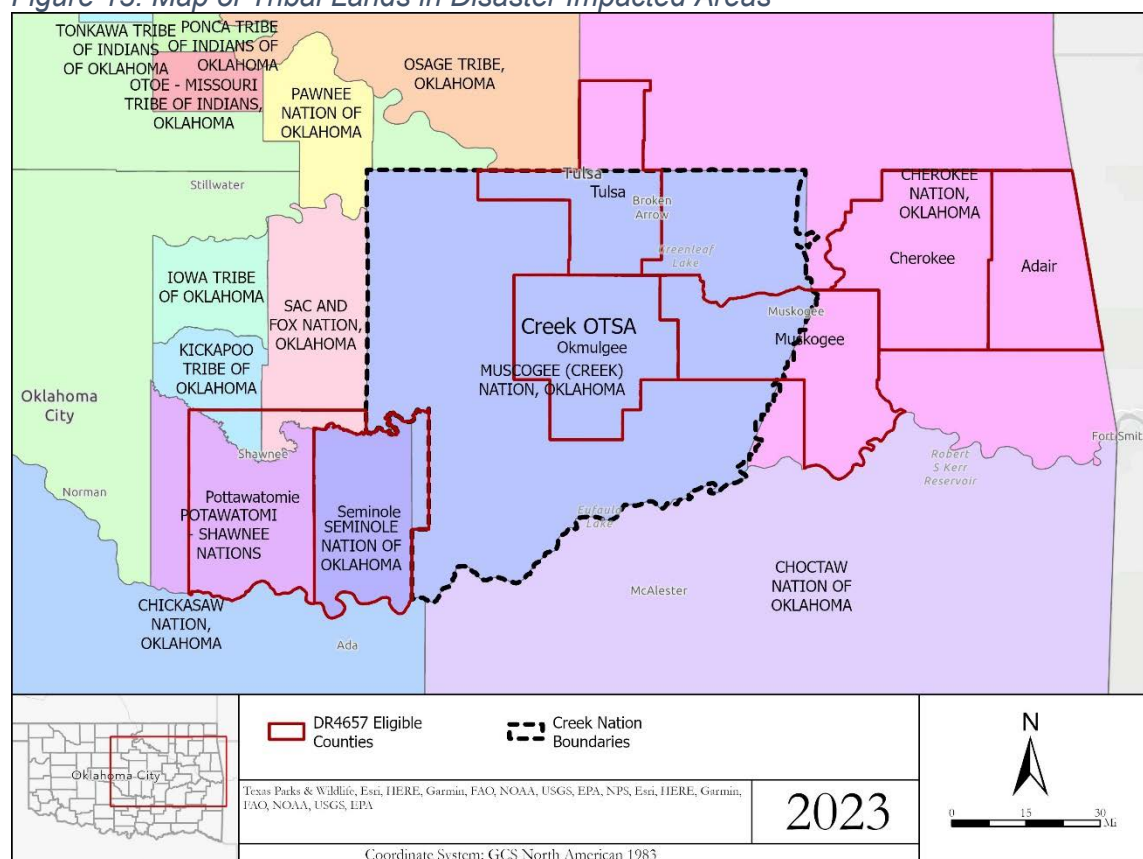


Source: U.S. Department of Housing and Urban Development, "Racially or Ethnically Concentrated Areas of Poverty (R/ECAPs)," [hudgis-hud.opendata.arcgis.com](https://hudgis-hud.opendata.arcgis.com), August 21, 2023, [https://hudgis-hud.opendata.arcgis.com/datasets/56de4edea8264fe5a344da9811ef5d6e\\_15/about](https://hudgis-hud.opendata.arcgis.com/datasets/56de4edea8264fe5a344da9811ef5d6e_15/about).

Oklahoma does not have data on sexual orientation and gender identity down to the county and tribal nation level. At the state level, the Williams Institute estimates that 138,000 Oklahoma residents over the age of 13 identify as LGBT+. ODOC does not anticipate the program having negative impacts on LGBT+ individuals and households.

The impacted disaster area includes multiple tribal nations and lands, as seen in Figure 13.

Figure 13: Map of Tribal Lands in Disaster Impacted Areas

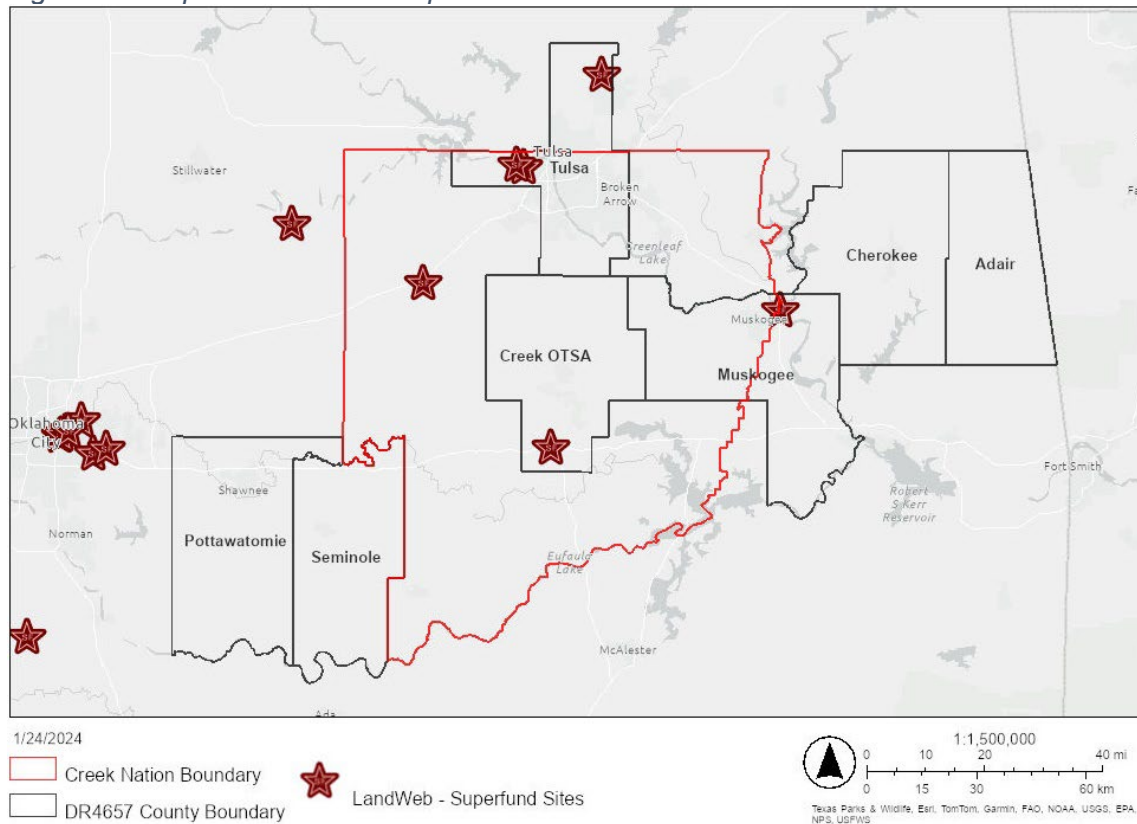


Source: Oklahoma Department of Transportation. Tribal Boundaries. 2015. <https://gis-okdot.opendata.arcgis.com/datasets/22acd141ee852499cc920fe8d3/explore>

A map of EPA superfund sites available through the Department of Environmental Quality shows five superfund sites in the disaster-impacted area (Figure 14). Figure 15: Proximity to Superfund Sites shows the relative proximity of the census tracts in the disaster impacted areas to superfund sites. Okmulgee and Bristow, Oklahoma contain the highest Superfund site proximity percentile when compared with the national percentiles. Tulsa County represents an area in the disaster impacted area with high proximity to hazardous waste (Figure 18). These areas also represent communities with higher concentrations of Black and/or Native American populations. There are 29 Brownfields sites in the disaster- impacted area (Figure 17). ODOC's eligible infrastructure and planning programs can address and mitigate natural and environmental hazards to increase resilience among vulnerable and historically underserved populations.

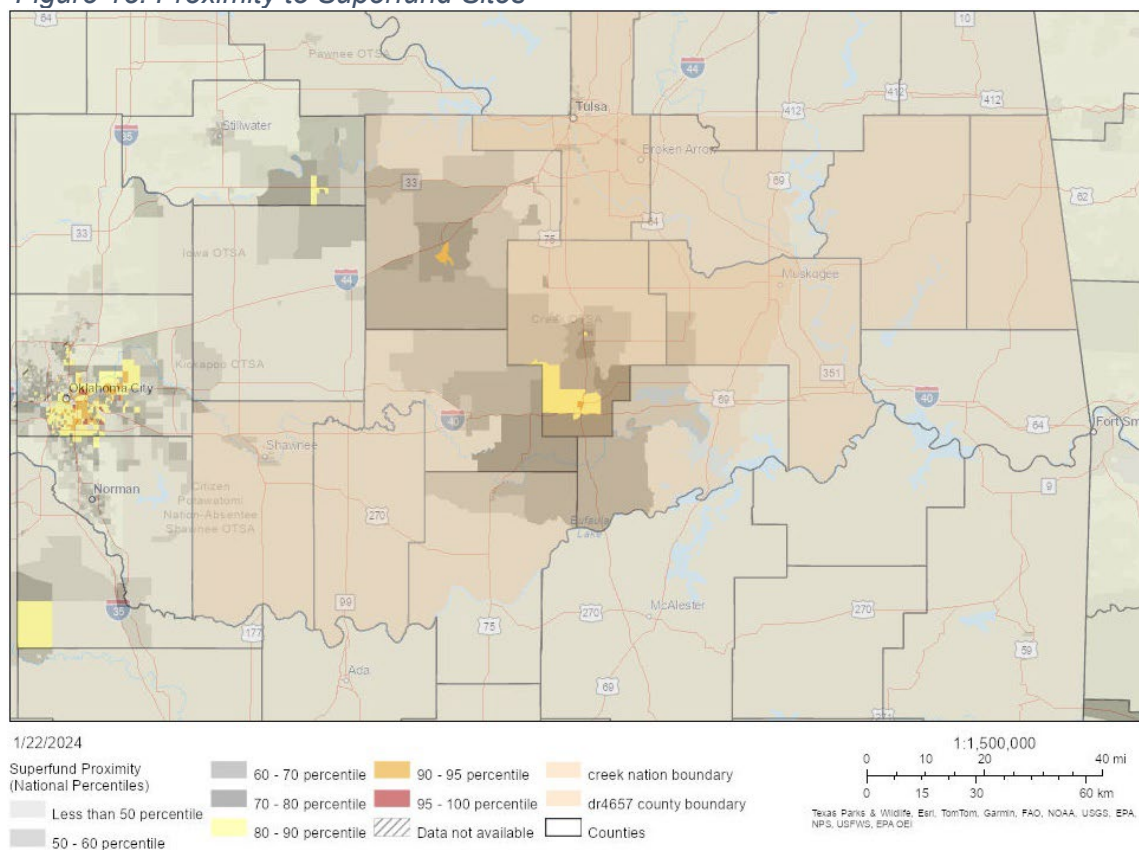


Figure 14: Superfund Sites in Impacted Area



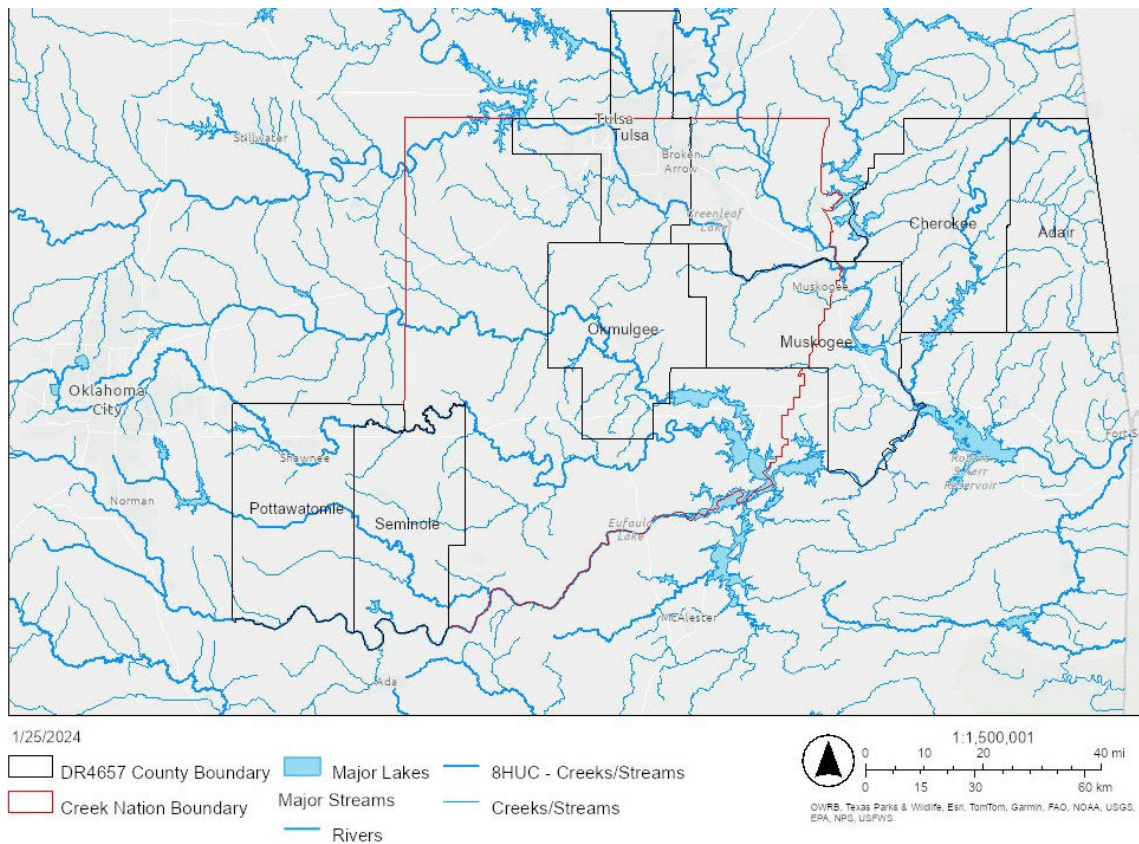
Source: Makenna Paniel, Superfund Sites, Arcgis.com (Oklahoma Department of Environmental Quality, 2022), <https://www.arcgis.com/home/webmap/viewer.html?webmap=d5c8a1e7c4154aa4ac29fa2c101da511&extent=-103.8282>

Figure 15: Proximity to Superfund Sites



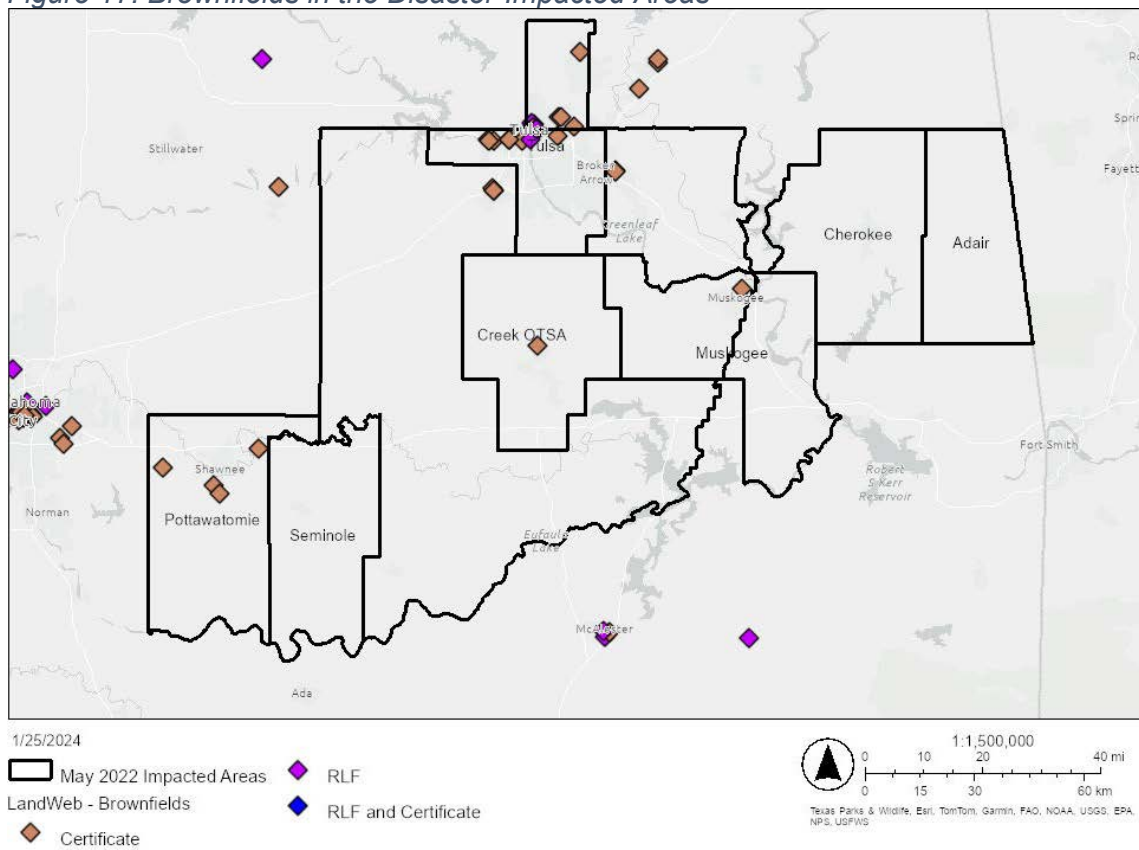
Source: EPA's Environmental Justice Screening and Mapping Tool (Version 2.2). <https://ejscreen.epa.gov/mapper/>.

Figure 16: Waterways in the Disaster-Impacted Areas



Source: Oklahoma Water Resources Board, Open Data, Oklahoma Lakes, Streams, and Watersheds.  
<https://oklahoma.gov/owrb/data-and-maps/gis-data.html>

Figure 17: Brownfields in the Disaster-Impacted Areas



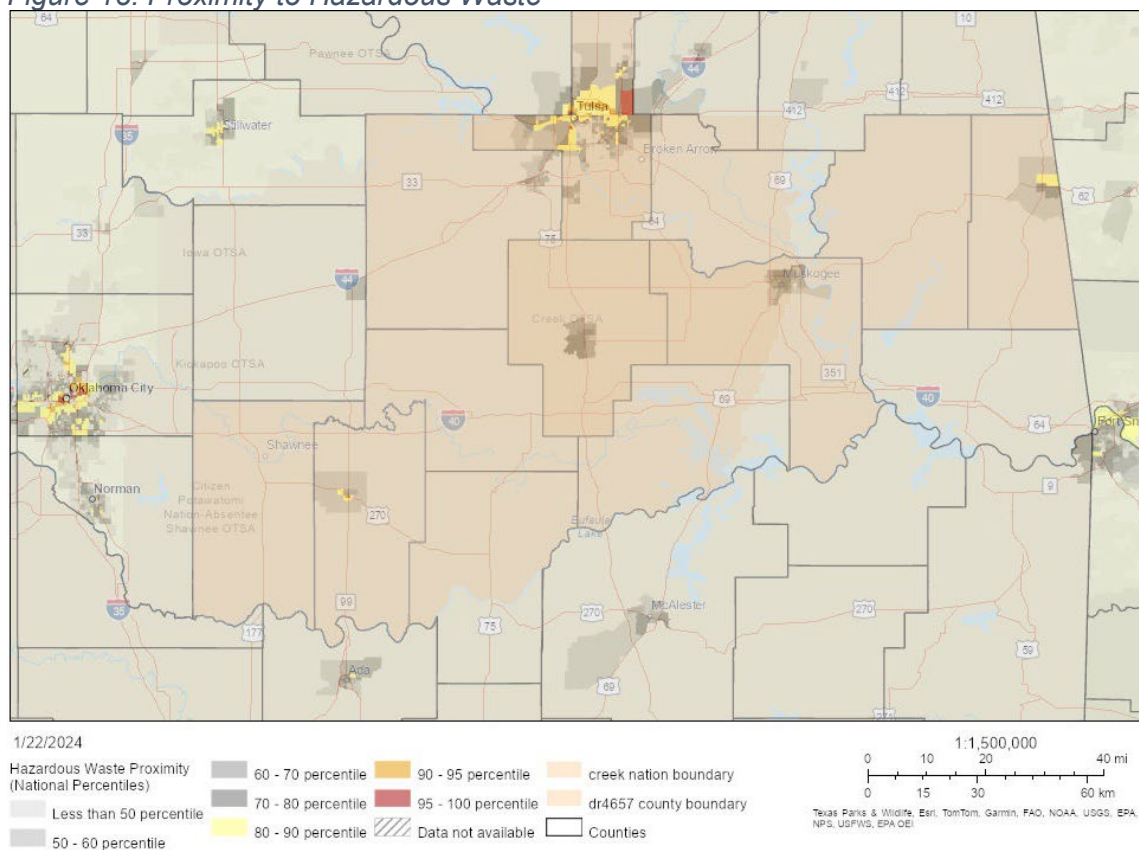
Source: Oklahoma Department of Environmental Quality. Interactive Map of DEQ Brownfield Sites, 2022.

<https://www.deq.ok.gov/land-protection-division/cleanup-redevelopment/brownfields/>

Notes: RLF = Revolving Loan Fund. There are 29 total Brownfield Sites in the Impacted Area.

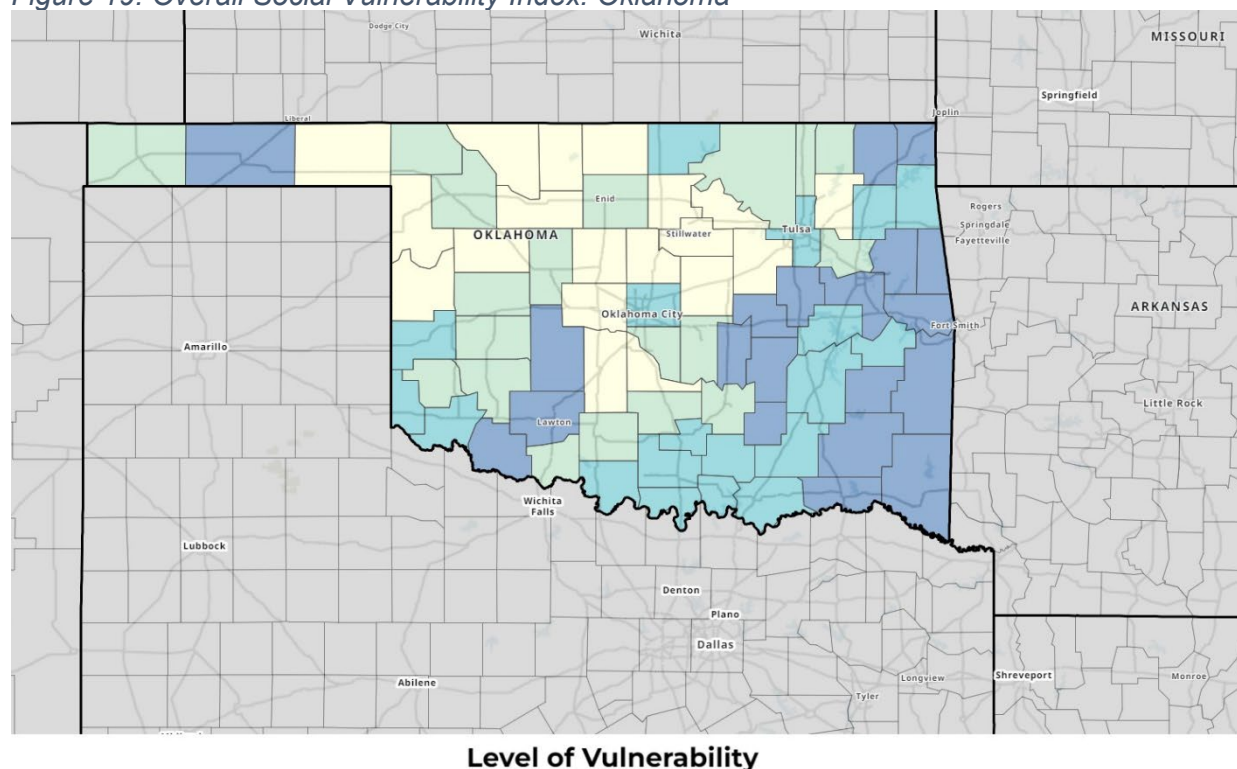


Figure 18: Proximity to Hazardous Waste



Source: EPA's Environmental Justice Screening and Mapping Tool (Version 2.2). <https://ejscreen.epa.gov/mapper/>

Figure 19: Overall Social Vulnerability Index: Oklahoma



Source: CDC/ATSDR Social Vulnerability Index (SVI) Interactive Map, [Atsdrdev.cdc.gov](https://www.atsdr.cdc.gov/placeandhealth/svi/interactive_map.html) (Agency for Toxic Substances and Disease Registry, November 3, 2022), [https://www.atsdr.cdc.gov/placeandhealth/svi/interactive\\_map.html](https://www.atsdr.cdc.gov/placeandhealth/svi/interactive_map.html).

Of the impacted counties, Seminole, Okmulgee, Cherokee, and Adair Counties rank high on the Social Vulnerability Index (SVI). The SVI, published by the Centers for Disease Control Agency for Toxic Substances and Disease Registry, uses 16 U.S. Census variables to help local officials identify communities that may need support before, during, or after disasters.<sup>20</sup> Increased social vulnerability means a community may be more susceptible to more negative effects from an external stressor, like a natural disaster.

There do not appear to be major differences in demographics between the state population and disaster declaration and HUD MID areas (Table 20). The impacted disaster areas are generally within +/-1% of the state percentages for each demographic group. The only exception to this is a higher concentration of Native Americans in the disaster declaration area (8.9% in the declaration area versus 7.69% statewide). This is not unexpected, as there is a higher concentration of Native American citizens and Native American tribal nations in the eastern half of Oklahoma.

#### 2.2.4.1 Limited English Proficiency

ODOC is committed to providing access to all its programs for Limited English proficient speakers. ODOC and its subrecipients will translate vital documents into Spanish for CDBG-DR programs that occur in market areas that exceed 1,000 LEP individuals (to include the upper band of the margin of error) or 5% LEP in that language group. The cost incurred by the State or its subrecipients to translate vital documents into Spanish is both reasonable and necessary.

<sup>20</sup> Agency for Toxic Substances and Disease Registry, “CDC’s Social Vulnerability Index (SVI),” [www.atsdr.cdc.gov](https://www.atsdr.cdc.gov/placeandhealth/svi/index.html), October 15, 2020, <https://www.atsdr.cdc.gov/placeandhealth/svi/index.html>.

For the 2022 CDBG-DR program, activities occurring in Tulsa County will require the translation of vital documents into Spanish.

Upon request, ODOC and its subrecipients will translate vital documents into Vietnamese. The cost incurred by the State or its subrecipients to translate vital documents larger than 2 pages into Vietnamese is neither reasonable nor necessary. Therefore, ODOC and its subrecipients will utilize oral translation and interpretation services, provided through Language Associates, to assist LEP Vietnamese speakers. For the 2022 CDBG-DR program, no activities will require the translation of vital documents into Vietnamese. To encourage participation in the program, activities occurring in Tulsa County should consider some outreach in the Vietnamese language.

Upon request, ODOC and its subrecipients will translate vital documents into Chinese. The cost incurred by the State or its subrecipients to translate vital documents larger than 2 pages into Chinese is neither reasonable nor necessary. Therefore, ODOC and its subrecipients will utilize oral translation and interpretation services, provided through Language Associates, to assist LEP Chinese speakers. For the 2022 CDBG-DR program, no activities will require the translation of vital documents into Chinese. To encourage participation in the program, activities occurring in Tulsa County should consider some outreach in the Chinese language.

For more details about vital documents and the level of language assistance that ODOC and its subrecipients provide to beneficiaries, please refer to the Language Access Plan available on ODOC's disaster recovery website.

#### 2.2.4.2 Point-in-Time Count

The U.S. Department of Housing and Urban Development (HUD) requires an annual count of individuals and families experiencing homelessness. This count, known as the Point-in-Time Count, is completed during the last ten days in January.

The 2022 Point-in-Time count does not capture data during the period of the severe storms, flooding, and tornadoes (May 2-8, 2022) that impacted Oklahoma. Additionally, HUD calls for PIT data at the CoC level by aggregating the data from all relevant providers within the CoC. The State of Oklahoma's CoC network does not have data from the PIT count available at the county level. In addition, the count does not ask about disaster impacts, and the CoC network has not added this question to the PIT count. ODOC will update the PIT data tables if new data becomes available.

The State is currently reaching out to Public Housing Authorities and Community Action Agencies and will ask these agencies to report any disaster impacts to persons experiencing homelessness. The State will amend this Action Plan if necessary if a sufficient need for homeless services is identified.

## 2.2.5 Oklahoma Demographics and Disaster-Impacted Populations

*Table 20: Demographics and Disaster-Impacted Populations*

Demographic	State Estimates	State Percentage	Disaster Declaration Estimates	Disaster Declaration Percent	MID Estimates	MID Percent
Total Population	3,948,136	100%	1,740,733	100.00%	846,493	100.00%
Under 5 years	252,929	6.41%	116,098	6.67%	55,720	6.58%
65 years and over	615,832	15.60%	267,868	15.39%	134,154	15.85%
Population with a disability	631,051	15.98%	257,859	14.81%	123,744	14.62%
White or Caucasian	2,752,553	69.72%	1,172,007	67.33%	588,918	69.57%
Black or African American	284,536	7.21%	135,652	7.79%	59,298	7.01%
Native American, American Indian, or Alaska Native	303,792	7.69%	154,903	8.90%	67,624	7.99%
Asian	88,601	2.24%	49,619	2.85%	24,379	2.88%
Native Hawaiian and Other Pacific Islander	6,760	0.17%	1,497	0.09%	572	0.07%
Other Race	118,507	3.00%	45,965	2.64%	18,214	2.15%

Data source: U.S. Census Bureau, American Community Survey DP03, S1810, B02001, B03001, 5-Year Estimates, 2021, [data.census.gov](https://data.census.gov).

Note: "MIDs" here includes only the HUD-identified MIDs.

## 2.2.6 Income Demographics

*Table 21: Income Demographics: Statewide and Disaster-Impacted Areas*

Income Demographic	Statewide	Counties Impacted by Disaster (Average)	HUD MID Areas (average)
Median Household Income	\$56,956	\$49,271	\$54,587
Per Capita Income	\$30,976	\$26,385	\$29,998

Data source: U.S. Census Bureau, American Community Survey DP03, 5-Year Estimates, 2021, [data.census.gov](https://data.census.gov).

*Table 22: Income Demographics by Disaster-Impacted County*

Area	Median Household Income	80% below Median	50% below Median
Statewide	\$52,538	\$42,030.40	\$26,269.00
Adair	\$37,940	\$30,352.00	\$18,970.00
Cherokee	\$47,421	\$37,936.80	\$23,710.50
Muskogee	\$44,166	\$35,332.80	\$22,083.00
Okmulgee	\$48,689	\$38,951.20	\$24,344.50
Pottawatomie	\$54,896	\$43,916.80	\$27,448.00
Seminole	\$40,190	\$32,152.00	\$20,095.00
Tulsa	\$60,382	\$48,305.60	\$30,191.00

Data source: U.S. Census Bureau, American Community Survey DP03, 5-Year Estimates, 2021, [data.census.gov](https://data.census.gov).

## 2.2.7 Income Demographics - Low Income

Table 23: Income Demographics - Poverty Level

	Statewide	Areas Impacted by Disaster	HUD MIDs
Income in the past 12 months below poverty level	583,853	248,204	113,132

Source: U.S. Census Bureau, American Community Survey S1702, 5-Year Estimates, 2021, [data.census.gov](https://data.census.gov).

## 2.2.8 LMI Analysis - Overall

Table 24: Low-Income Population in Disaster-Impacted Areas

Geographic Area	Total LMI Persons	Total Population	Percent LMI
Area wide	715,878	1,655,793	43.23%

Source: U.S. Department of Housing and Urban Development, "FY 2023 ACS 5-Year 2011-2015 Low- and Moderate-Income Summary Data," 2023, <https://www.hudexchange.info/programs/acs-low-mod-summary-data/>, and U.S. Department of Housing and Urban Development, "FY2022 Data Update for Low- and Moderate-Income (LMI) Area Benefit Designation for HUD's Indian Community Development Block Grant (ICDBG) | HUD USER," n.d., <https://www.huduser.gov/portal/icdbg2022/home.html>.

## 2.2.9 LMI Analysis - Federally Declared Disaster Areas

Table 25: 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
Okmulgee County	-	-	-	17,500	38,025	46.02%
Muscogee Creek Nation	-	-	-	335,851	775,638	43.30%
Seminole County	11,865	24,835	47.78%	-	-	-
Adair County	11,668	22,120	52.75%	-	-	-
Cherokee County	20,859	45,805	45.54%	-	-	-
Muskogee County	30,765	66,560	46.22%	-	-	-
Pottawatomie County	26,470	67,800	39.04%	-	-	-
Tulsa County	260,900	615,010	42.42%	-	-	-

Source: U.S. Department of Housing and Urban Development, "FY 2023 ACS 5-Year 2011-2015 Low- and Moderate-Income Summary Data," 2023, <https://www.hudexchange.info/programs/acs-low-mod-summary-data/>, and U.S. Department of Housing and Urban Development, "FY2022 Data Update for Low- and Moderate-Income (LMI) Area Benefit Designation for HUD's Indian Community Development Block Grant (ICDBG) | HUD USER," n.d., <https://www.huduser.gov/portal/icdbg2022/home.html>.  
Note: "MIDs" here includes only the HUD-identified MIDs.

## 2.2.10 Manufactured Housing Units Impacted by Disaster

Table 26: Manufactured Housing Units Impacted by Disaster

County/Municipality	Number of Units	% Of Total Units in County/Municipality	Remaining Unmet Need
Adair	20	1.11%	\$7,659.97
Cherokee	11	0.24%	\$7,796.63

Muskogee	40	1.21%	\$6,918.05
Okmulgee	41	1.66%	\$6,635.39
Pottawatomie	16	0.43%	\$5,089.07
Seminole	46	2.58%	\$114,901.14
Tulsa	15	0.23%	\$181.00
Muscogee Creek Nation	no data	no data	no data

Source: FEMA, DR-4657 Individual Assistance Data, 2022. And U.S. Census Bureau, American Community Survey, DP04, 5-Year Estimates, 2021, [data.census.gov](https://data.census.gov).

## 2.2.11 Limited English Proficiency Population of Disaster-Related Areas

*Table 27: Spanish LEP Speakers in Impacted Counties*

County	Total number of Spanish LEP Speakers (Estimate)	Percent LEP of Total Speaker Population (Estimate)
Adair	108 ± 78	1.01%
Cherokee	611 ± 175	1.76%
Muskogee	635 ± 190	1.32%
Okmulgee	151 ± 79	0.66%
Pottawatomie	383 ± 105	0.72%
Seminole	165 ± 92	1.15%
Tulsa	24919 ± 885	4.17%

Source: U.S. Census Bureau, American Community Survey, C16001, 5-Year Estimates, 2021, [data.census.gov](https://data.census.gov)

Note: LEP data is not available at the tribal level.

Note: Percentages are calculated using the upper estimate of the margin of error.

*Table 28: Vietnamese LEP Speakers in Impacted Counties*

County	Total number of Vietnamese LEP Speakers (Estimate)	Percent LEP of Total Speaker Population (Estimate)
Adair	57 ± 65	0.66%
Cherokee	1 ± 5	0.01%
Muskogee	116 ± 43	0.25%
Okmulgee	0 ± 21	0.06%
Pottawatomie	20 ± 21	0.06%
Seminole	0 ± 18	0.08%
Tulsa	1832 ± 339	0.35%

Source: U.S. Census Bureau, American Community Survey, C16001, 5-Year Estimates, 2021, [data.census.gov](https://data.census.gov)

Note: LEP data is not available at the tribal level.

Note: Percentages are calculated using the upper estimate of the margin of error.



Table 29: Chinese LEP Speakers in Impacted Counties

County	Total number of Chinese LEP Speakers (Estimate)	Percent LEP of Total Speaker Population (Estimate)
Adair	2 ± 7	0.05%
Cherokee	15 ± 19	0.08%
Muskogee	7 ± 15	0.04%
Okmulgee	12 ± 21	0.09%
Pottawatomie	30 ± 36	0.10%
Seminole	5 ± 7	0.05%
Tulsa	782 ± 200	0.16%

Source: U.S. Census Bureau, American Community Survey, C16001, 5-Year Estimates, 2021, data.census.gov

Note: LEP data is not available at the tribal level.

Note: Percentages are calculated using the upper estimate of the margin of error.

## 2.2.12 Point-in-Time Count - Type of Shelter

Table 30: Point in Time Count - Type of Shelter

Geography	Emergency Shelter	Transitional Housing	Unsheltered Homeless	Total Known Homeless
No data available				

## 2.2.13 Point-in-Time Count - Impacted by Disaster

Table 31: Point in Time Count: Impacted by Disaster

Geography	Emergency Shelter	Transitional Housing	Unsheltered Homeless	Total Known Homeless
No data available				

## 2.2.14 Assisted Housing Impacted by the Disaster

No damages to assisted housing units were reported by communities and stakeholders. ODOC will update this table with new data as it becomes available.



Table 32: Assisted Housing Units Impacted by 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
Adair	0	0	8	0	80	0	0
Cherokee	0	0	8	0	0	0	0
Muskogee	1053	0	14	0	426	0	0
Okmulgee	118	0	3	0	80	0	0
Pottawatomie	536	0	20	0	501	0	0
Seminole	346	0	9	0	238	0	0
Tulsa	6991	0	47	0	492	0	0

Source: U.S. Department of Housing and Urban Development.

## 2.3 Infrastructure Unmet Need

### 2.3.1 Disaster Damage and Impacts - Infrastructure.

The infrastructure conditions in the impacted counties before the disaster consisted of many state and local roads and highways crossing predominately rural areas. The primary damage from the event is due to roads and bridges impacted by high flooding. Many areas also saw an impact on energy infrastructure due to high winds and tornadoes. Most residents of Seminole County had no power service for more than seven days after the disaster. The Muskogee (Creek) Nation saw extensive road damage because of flooding. Muskogee County had multiple closed highways due to flooding.

Public assistance includes a wide range of work, from extensive debris removal across the area to impacts on community water systems, public utilities, public buildings, open space infrastructure, irrigation ditches, fire suppression, and emergency operations. Public assistance was made available by FEMA to the Muskogee (Creek) Nation for DR-4670. Damage estimates from FEMA put the cost of damage at \$253,519.00. The Muskogee (Creek) Nation has estimated over \$7 million in infrastructure projects and a minimum of \$3 million in unmet infrastructure needs. The Nation is currently working with FEMA to release public assistance funds; however, no FEMA public assistance funds have been awarded. The data included below is based on communication with the Muskogee (Creek) Nation and will be updated if more data becomes available.

*Figure 20: Damage within the Muscogee (Creek) Nation from the May 2022 Storm event*



Source: Muscogee (Creek) Nation.

Impacts on roads and bridges were greatest in the Muscogee Nation. The flooding caused many roads to wash out, buckle, or collapse entirely. The Nation continues to work to repair damaged infrastructure, despite multiple subsequent disasters impacting infrastructure in the area.

The Muscogee Nation is responsible for administering the Hazard Mitigation Grants associated with DR 4670 and the May 2022 storms. The Nation is working with FEMA to release the funds. As of plan publication, no hazard mitigation projects have been funded or requested. ODOC will update the available hazard mitigation data if more information becomes available.

Infrastructure projects funded with CDBG-DR funds will incorporate mitigation and preparedness wherever possible so that reconstructed or repaired infrastructure will be more resilient to future disasters. An essential aspect of recovery is mitigating the impacts of future disasters. ODOC will prioritize projects with mitigation and preparedness aspects. ODOC will work with subrecipients to align investments with capital improvement plans and prevent duplication of benefits.

After the disaster, some communities may pivot funds from other sources such as CDBG and capital improvement funds to repair infrastructure damaged by the disaster. In addition, the USDA has several programs for repairing essential community facilities in rural areas, including one specific to areas impacted by the May 2022 disaster. Some communities may have access to insurance funds that provide funds for repairs to infrastructure after a disaster. Consideration of these other sources of assistance when planning for the use of funds can help limit the possibility of duplication between CDBG-DR and other assistance.

At this time, no public services are necessary to complement infrastructure activities as described in this Action Plan. The State will monitor the infrastructure programs and activities

and add public services via a substantial amendment to this Action Plan if it is determined to be necessary for full access to the program.

### 2.3.2 Total Cost and Need by PA Category

Table 33: Total Cost and Need by PA Category

PA Category	Estimated PA Cost	Local Match	Resiliency	Total Need (Match + Resiliency)
Category A: Debris removal	\$15,000	\$3,750.00	\$3,000.00	\$6,750.00
Category B: Emergency protective measures	\$75,000	\$18,750.00	\$15,000.00	\$33,750.00
Category C: Roads and bridges	\$6,800,500	\$1,700,125.00	\$1,360,100.00	\$3,060,225.00
Category D: Water control facilities	\$0	\$0.00	\$0.00	\$0.00
Category E: Public buildings and contents	\$500,000	\$125,000.00	\$100,000.00	\$225,000.00
Category F: Public utilities	\$0	\$0.00	\$0.00	\$0.00
Category G: Parks, recreational, and other facilities	\$0	\$0.00	\$0.00	\$0.00
Total	\$7,390,500.00	\$1,847,625.00	\$1,478,100.00	\$3,325,725.00

Source: The Muscogee Nation. Data will be updated if more information becomes available.

### 2.3.3 Hazard Mitigation Needs per County or Known Project

Table 34: Hazard Mitigation Needs per County or Known Project

Project	Cost	Funding Source	Unmet Need
No data available			

Source: Conversations with the Muscogee Nation. Data will be updated if more information becomes available.

## 2.4 Economic Revitalization Unmet Need

### 2.4.1 Disaster Damage and Impacts - Economic Revitalization.

The communities impacted by the disaster frequently have small hubs of economic activity in their main street areas. Downtown Seminole's Main Street was the most heavily impacted economic hub, as an EF2 tornado tore through the area, damaging business facades and nonprofit buildings.

Other businesses across the state were impacted by flooding. Muskogee County was heavily impacted by flooding throughout the county, resulting in the closure of at least one employer in the county. Superior Linen Service closed its Muskogee facilities after more than 6 feet of water entered the building. The company cited challenges in obtaining flood insurance as a reason for not rebuilding at the site.

Table 35: SBA Business Loan Data, DR-4657 and DR-4670

County	Total Verified loss	Total loan amount	Unmet need
Adair	\$170,002.27	\$3,000.00	\$167,002.27
Cherokee	\$30,167.56	\$0.00	\$30,167.56
Muskogee	\$1,022,319.65	\$381,400.00	\$640,919.65
Okmulgee	\$280,278.21	\$0.00	\$280,278.21
Pottawatomie	\$238,386.16	\$0.00	\$238,386.16

Seminole	\$1,793,383.79	\$998,260.00	\$795,123.79
Tulsa	\$100,563.26	\$0.00	\$100,563.26
Total	\$3,635,100.90	\$1,382,660.00	\$2,252,440.90

Source: SBA, Disaster Loan Data, DR-4657 and DR-4670, 2022.

The Small Business Administration allocated a significant amount of disaster recovery loans to businesses in Muskogee and Seminole County. Other impacted areas did not receive funds. The data includes loans from both DR-4657 and DR-4670. The only loan associated with DR-4670 was in Muskogee County.

Some programs from USDA Rural Development may be valuable for helping businesses recover after a disaster. However, there are no programs offered by the USDA specific to disaster recovery for businesses and economic development. Businesses often have access to insurance assistance and private loans. Consideration of these other sources of assistance when planning for the use of funds can help limit the possibility of duplication between CDBG-DR and other assistance.

## 2.5 Mitigation-Only Activities

This section serves as Oklahoma's mitigation needs assessment. Mitigation needs throughout the state of Oklahoma relate to threats from multiple types of natural disasters, as outlined in the state's hazard mitigation plan. ODOC is currently setting aside \$600,000, or 8% of funds for planning activities that meet the definition of mitigation-only activities. Mitigation activities are defined 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.<sup>21</sup> ODOC is required to expend 15% or \$975,000 of its funds on mitigation.<sup>22</sup> In addition to planning activities, ODOC's housing and infrastructure programs will incorporate mitigation measures to meet or exceed the 15% mitigation set-aside requirement.

After the May 2022 disaster, communities may have access to other sources of assistance for hazard mitigation and planning. Consideration of these other sources of assistance when planning for the use of funds can help limit the possibility of duplication between CDBG-DR and other assistance. FEMA authorizes the Hazard Mitigation Grant Program after a presidentially declared disaster. HMGP provides funding to state, local, tribal, and territorial governments so they can develop hazard mitigation plans and rebuild in a way that reduces, or mitigates, future disaster losses in their communities. In this program, homeowners and businesses cannot apply for a grant. However, a local community may apply for funding on their behalf.

FEMA's Building Resilient Infrastructure and Communities (BRIC) program supports states, local communities, tribes, and territories as they undertake hazard mitigation projects, reducing the risks they face from disasters and natural hazards. Both BRIC and HMGP require a certain portion of the grant funds to be matched by the community. CDBG-DR funds are eligible to be used as a non-federal match for both FEMA BRIC and FEMA HMGP.<sup>23</sup>

In addition, after the May 2022 disaster, USDA Rural Development authorized the Fiscal Year 2023 Disaster Relief Supplemental Grant Funds for the Community Facilities Technical Assistance and Training Grant Program. This program provides associations with Technical Assistance and/or training with respect to essential community facilities programs. The Technical Assistance and/or training will assist communities, Indian Tribes, and Nonprofit

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<sup>21</sup> 88 FR 32055

<sup>22</sup> 88 FR 32055

<sup>23</sup> 88 FR 32064

Corporations to identify and plan for community facility repairs because of damages resulting from Presidentially declared disasters in calendar year 2022.

### 2.5.1 Oklahoma's State Hazard Mitigation Plan

The following eleven natural disasters and hazards were identified in the state's hazard mitigation plan:

- Dam failure
- Drought
- Earthquake
- Extreme heat
- Flood
- Severe storms (Hail, Lightning)
- High Winds
- Soil Hazards
- Tornado
- Wildfire
- Winter Storms (Ice, Freezing Rain, Snow)
- Landslides

These hazards listed are in no order, and not prioritized in order of risk and vulnerability. As seen in Table 36, flooding is the highest risk hazard in Oklahoma. Flooding risk has increased for all 77 counties in the state, according to the State's Hazard Mitigation Plan. The Oklahoma Water Resources Board is currently using CDBG-DR funding to produce more detailed floodplain maps throughout the state, to help mitigate risk and guide development decisions.

*Table 36: Natural Hazards and Probability in Oklahoma*

Hazard	CPRI	Probability Assessment
Dam failure	2.5	Unlikely
Drought	3.1	No data
Earthquake	1.9	Possible
Extreme heat	2.95	No data
Flood	3.75	Highly Likely
Severe storms (Hail, Lightning)	3.1	No data
High Winds	2.95	No data
Soil Hazards	1.3	Unlikely
Tornado	2.95	No data
Wildfire	2.95	No data
Winter Storms (Ice, Freezing Rain, Snow)	1.65	No data
Landslides	1.3	No data

Source: Oklahoma's State Hazard Mitigation Plan. 2019. <https://oklahoma.gov/content/dam/ok/en/oem/documents/2019-oklahoma-state-hm-plan.pdf>

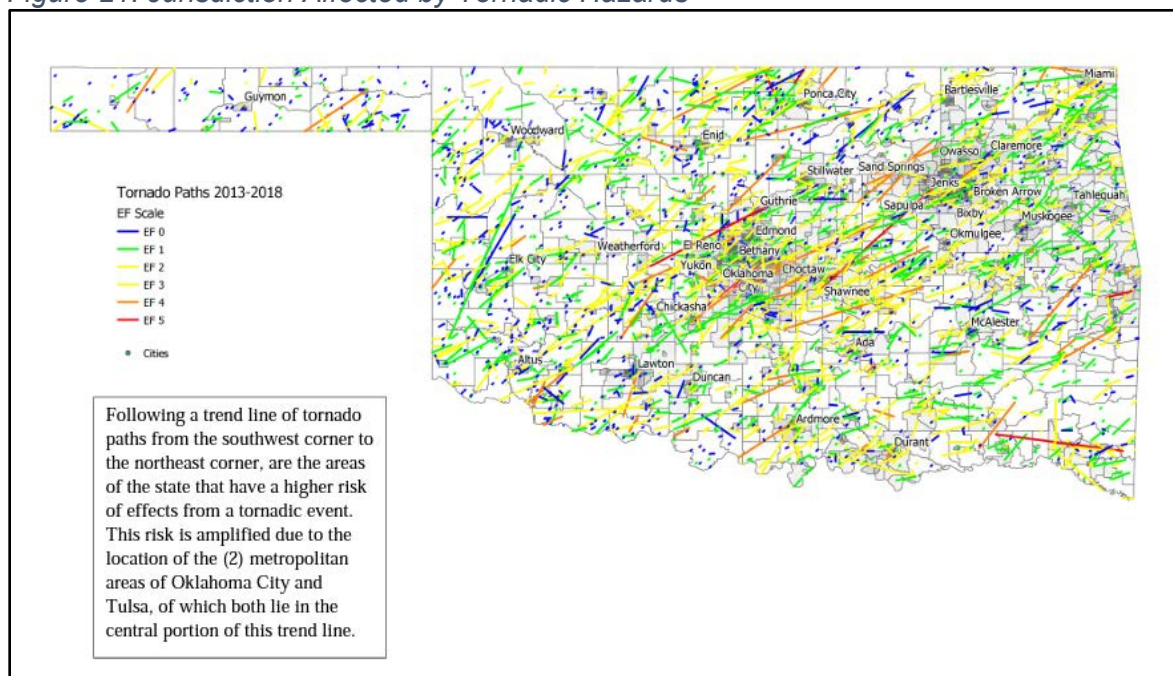
Note: The Calculated Risk Priority Index (CPRI) is calculated using probability, severity, warning time, and duration data. A higher number means the hazard is a greater risk to the State. The probability assessments come from the language in the State Hazard Mitigation Plan. Not all hazards provided a probability assessment.

Other likely hazards in the state are drought, extreme heat, high winds, tornados, and wildfires. All these hazards are likely to impact the entire state and are not concentrated in



particular areas. High winds, tornados, and severe storms are often associated with one another, frequently occurring simultaneously, and impacting the same areas. In addition, Oklahoma's historical tornadic patterns increase the risk to life and property because of their frequency near the two population centers of the state: Tulsa and Oklahoma City (Figure 21).

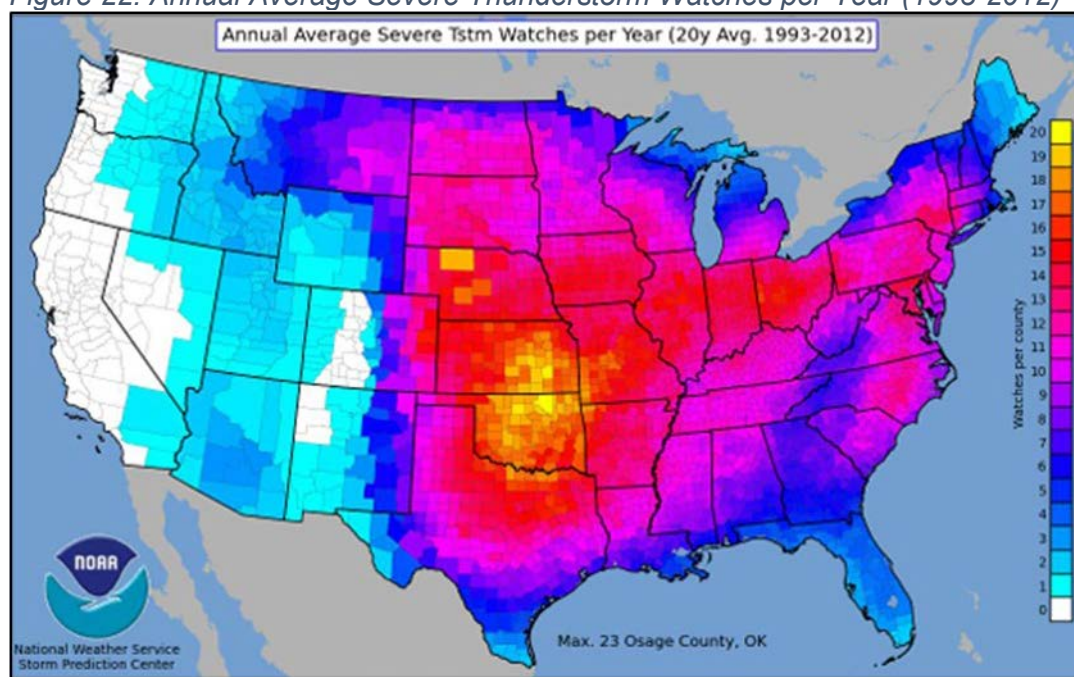
*Figure 21: Jurisdiction Affected by Tornadic Hazards*



Source: Oklahoma's State Hazard Mitigation Plan. (2019). <https://oklahoma.gov/content/dam/ok/en/oem/documents/2019-oklahoma-state-hm-plan.pdf>

In addition, Oklahoma frequently has more severe thunderstorm watches than anywhere else in the nation (Figure 22). Severe thunderstorms are defined as follows: 1) Winds of 58 mph or higher and/or 2) Hail 1 inch in diameter or larger. Climate models project an increase in the frequency and intensity of severe thunderstorms over the Southern Great Plains, especially during the peak storm season (March, April, and May).

Figure 22: Annual Average Severe Thunderstorm Watches per Year (1993-2012)



Source: Oklahoma's State Hazard Mitigation Plan. 2019. <https://oklahoma.gov/content/dam/ok/en/oem/documents/2019-oklahoma-state-hm-plan.pdf>

The National Risk Index, published by FEMA, is a dataset and online tool used to indicate risk for natural hazards in the United States by county. There are 18 national hazards included in the index: Avalanche, Coastal Flooding, Cold Wave, Drought, Earthquake, Hail, Heat Wave, Hurricane, Ice Storm, Landslide, Lightning, Riverine Flooding, Strong Wind, Tornado, Tsunami, Volcanic Activity, Wildfire, and Winter Weather. The index includes data about expected annual loss from disasters, social vulnerability, and community resilience. A lower risk score indicates a community has low expected annual loss, low social vulnerability, and high community resilience.<sup>24</sup>

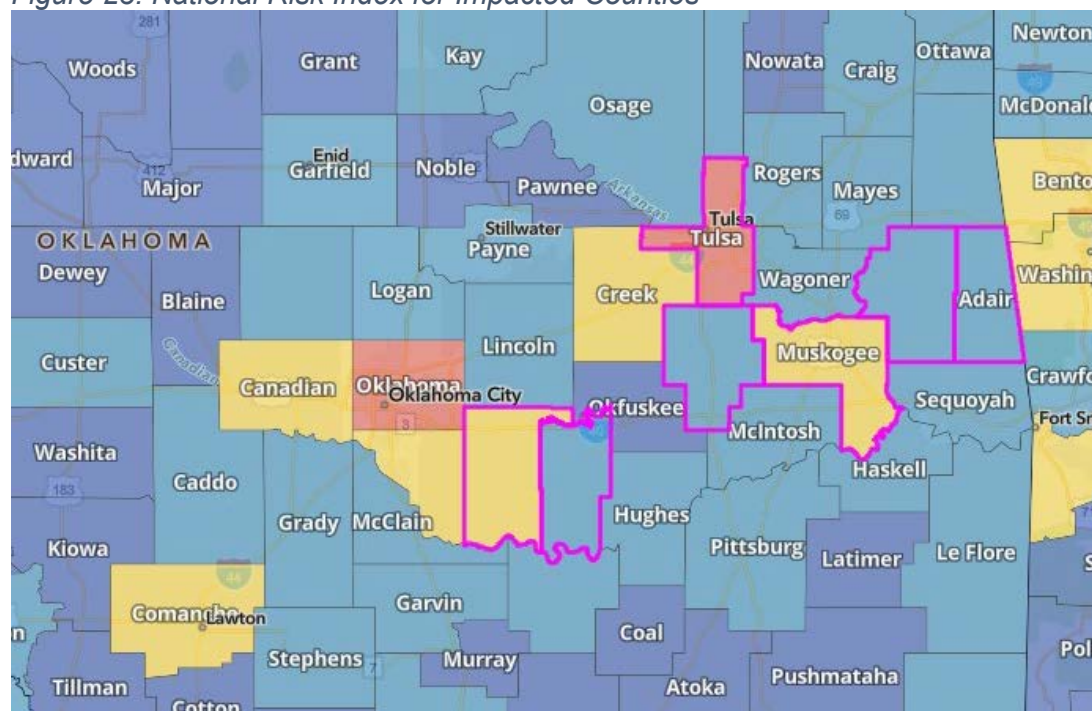
Of the May 2022 disaster-impacted counties, Tulsa County has a relatively high-risk index rating, and Muskogee County and Seminole County have relatively moderate risk index ratings. The remaining four counties have relatively low index ratings. Figure 23 shows the National Risk Index for each impacted county. More rural counties tend to rank lower overall than urban counties, because of the low estimated annual loss for areas with low population densities. However, Cherokee, Okmulgee, Seminole, and Adair County all have very high social vulnerability, and very low community resilience.<sup>25</sup> These communities may not have many high value structures, but when impacted by a disaster, the recovery will be challenging.

<sup>24</sup> FEMA, *National Risk Index*, 2023, [Hazards.fema.gov](https://hazards.fema.gov/nri/map), 2023, <https://hazards.fema.gov/nri/map>.

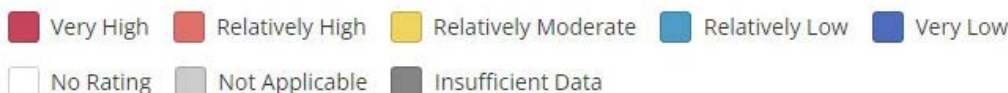
<sup>25</sup> FEMA, 2023.



Figure 23: National Risk Index for Impacted Counties



#### Risk Index Legend



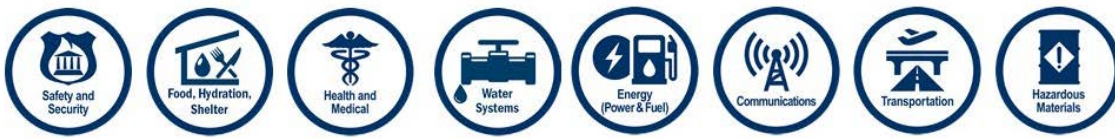
Source: FEMA, National Risk Index, 2023, Hazards.fema.gov, 2023, <https://hazards.fema.gov/nri/map>.

Note: Impacted counties are outlined in pink.

## 2.5.2 Mitigating Risk

An important consideration for evaluating community risk is to look at community lifelines. Community lifelines are fundamental services in the community that enable the continuous operation of critical government and business functions and are essential to human health and safety or economic security. Lifelines are the most fundamental services in the community that, when stabilized, enable all other aspects of society. Examples of community lifelines include communications, safety and security, or transportation. When community lifelines are disrupted, decisive intervention is required to restore the service. Mitigating risk to community lifelines can reduce the impact of disasters and may result in faster and more effective response and recovery.

Figure 24: Community Lifelines



Source: FEMA's Community Lifelines Implementation Toolkit. <https://www.fema.gov/emergency-managers/practitioners/lifelines-toolkit>

Mitigation solutions designed to be resilient only to threats and hazards related to the May 2022 disaster can leave a community vulnerable to negative effects from future extreme events related to other threats or hazards. FEMA's National Building Code Adoption Tracking Portal identifies 76 of 77 Oklahoma Counties as having an old or weakened building code or no code standard when looking at combined hazards.<sup>26</sup> In conversations with stakeholders in the state, a need for updated building codes was identified as an area of potential mitigation improvement. Building codes that protect homeowners against high winds and hail would be invaluable in reducing the risk of severe storms, high winds, and tornadoes. Requiring strong buildings also reduces the risk to community lifelines, like homes and essential businesses.

The cost and benefit analysis of incorporating hazard mitigation measures often shows that the mitigation measures are worth the additional up-front cost. Oklahomans pay more for homeowners' insurance than in any other state, due to the impacts from hail, wind, tornadoes, and earthquakes.<sup>27</sup> Investments in impact-resistant shingles or other stronger building materials that reduce the impacts of severe storms and tornadoes can lessen the cost of homeowners insurance throughout the state, as well as the cost of recovery to public agencies from a disaster. Some insurance companies offer an immediate discount on an individual's homeowners' insurance if they upgrade to Class 3 or 4 impact-resistant shingles.<sup>28</sup> The costs of these stronger materials are higher by \$1,800 to \$2,500, but the benefits may ultimately be to reduce costs for households across the state.<sup>29</sup>

Oklahoma's broadband gaps also represent risks in rural areas to essential communications services. Communications services are a community lifeline. The broadband gaps are shown in Figure 25: Broadband Gaps in Disaster-Impacted Areas. The areas with poor broadband service compared to the rest of the nation are also low-income and are dominated by tribal nations. The equity and mitigation impact of improving broadband service and access in these areas would compound upon one another, resulting in a stronger, more resilient community.

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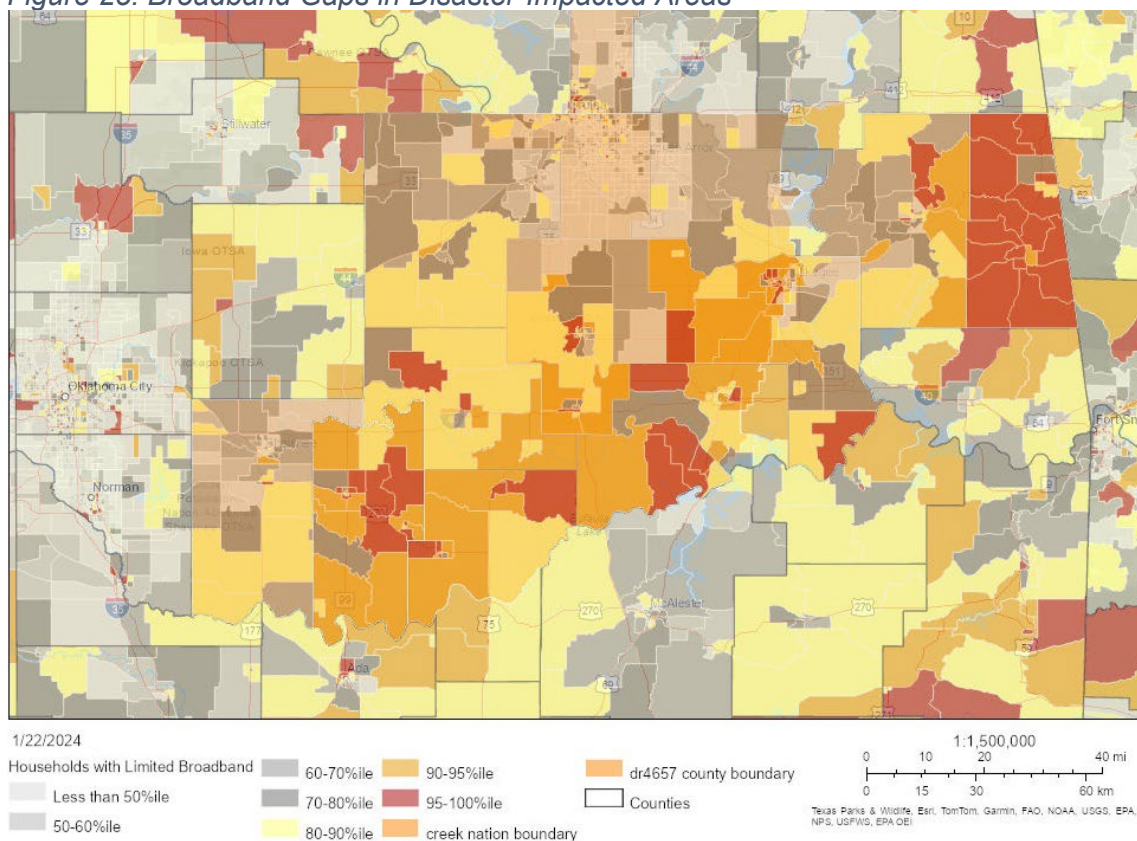
<sup>26</sup> National Building Code Adoption Tracking Portal, Accessed Dec 12, 2023. <https://stantec.maps.arcgis.com/apps/MapSeries/index.html?appid=a053ac48343c4217ab4184bc8759c350>.

<sup>27</sup> Sarah Schlichter and Kayda Norman, "The Best Homeowners Insurance in Oklahoma for 2023," ed. Caitlin Constantine, NerdWallet, May 8, 2023, <https://www.nerdwallet.com/article/insurance/home-insurance-oklahoma-ok>.

<sup>28</sup> "Commissioner Doak Urges Oklahomans to Consider Impact-Resistant Shingles," [www.about.ok.gov](https://www.about.ok.gov) (Oklahoma Insurance Department, October 2, 2015), [https://www.about.ok.gov/triton/modules/newsroom/newsroom\\_article.php?id=157&article\\_id=16776](https://www.about.ok.gov/triton/modules/newsroom/newsroom_article.php?id=157&article_id=16776).

<sup>29</sup> Ibid.

Figure 25: Broadband Gaps in Disaster-Impacted Areas



Source: EPA's Environmental Justice Screening and Mapping Tool (Version 2.2). <https://ejscreen.epa.gov/mapper/>

The Fifth National Climate Assessment predicts increases in drought and extreme heat for Kansas, Oklahoma, and Texas, regardless of emissions reductions.<sup>30</sup> Climate hazards are expected to become more frequent, intense, and broad throughout the region. Resilience actions identified to address drought in Oklahoma include activities such as site-specific water conservation and drought contingency plans, replace leaking pipes and infrastructure, and biodiversity improvements.<sup>31</sup> These mitigation actions can be combined with a community lifelines framework. For example, implementing water conservation measures as a regular practice ensures that during severe drought, water services can remain available to the community. More information on mitigation and resilience actions that can be taken to reduce the impacts of climate change in Oklahoma can be found in Chapter 26 of the Fifth National Climate Assessment.

CDBG-DR activities may also mitigate environmental concerns and increase resilience among members of protected classes, vulnerable populations, and underserved communities to protect against the effects of extreme weather events and other natural hazards. Recipients of CDBG-DR funds should consider the impacts of the proposed project with a perspective of equity and protecting the most vulnerable communities. Section 2.2.4: Fair Housing, Civil Rights Data, and Advancing Equity describes the population of the disaster-impacted area, and

<sup>30</sup> R.A. McPherson et al., "Fifth National Climate Assessment: Chapter 26: Southern Great Plains," *NCA 2023* (Washington, D.C., USA: U.S. Global Change Research Program, 2023), <https://nca2023.globalchange.gov/chapter/26>.

<sup>31</sup> R.A. McPherson et al.

highlights important environmental justice indicators, such as proximity to superfund sites, and proximity to hazardous waste. The Climate and Economic Justice Screening Tool<sup>32</sup> also includes valuable information on protected classes in Oklahoma, and the census tracts within the disaster-impacted area which are overburdened and underserved. Unfortunately, every census tract in the impacted area is considered disadvantaged by the Climate and Economic Justice Screening Tool. Most of these tracts are within tribal nations and are thus automatically considered disadvantaged communities.

Projects funded by ODOC under this Action Plan will promote sound, sustainable long-term recovery planning by addressing risks identified in the Action Plan. These risks were exacerbated by the disaster. The risks identified in this Action Plan will be used to develop resilience performance metrics for each funded activity. These metrics will ensure that structures and infrastructure rebuilt or newly built with CDBG-DR funding will be more resilient and less susceptible to damage from disasters.

Mitigation needs in the state revolve around reducing flooding and high wind risk which will help mitigate the impacts of flooding, tornadoes, severe storms, and high winds. Mitigating risk to community lifelines will speed response and recovery, while reducing potential devastation. Mitigation that considers protected classes, vulnerable populations, and underserved communities will have cascading positive impacts, by increasing resilience and advancing equity in these communities. Increasing Oklahoma's resiliency to drought and extreme heat is also essential to preventing loss of life and property. ODOC has identified vulnerabilities that are tied to the May 2022 disaster as well as those which do not tieback to this disaster. Implementation of projects to mitigate these risks can enhance protection and save lives, maximize the utility of scarce resources, and benefit the community long after the projects are complete.

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<sup>32</sup> "Climate and Economic Justice Screening Tool," Council on Environmental Quality, 2024, <https://screeningtool.geoplatform.gov/en/#7.16/35.323/-95.925>.



## 3 General Requirements

### 3.1 Citizen Participation

#### 3.1.1 Outreach and Engagement

In the development of this disaster recovery action plan, the State of Oklahoma 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. All publication efforts conducted by ODOC must meet the effective communication requirements of 24 CFR 8.6 and other fair housing and civil requirements (i.e., Americans with Disabilities Act).

The following agencies and organizations were contacted directly to provide information on the impacts of the disaster, via email or by completing an online survey:

<b>County and Local Governments</b>
Adair County
City of Muskogee
City of Seminole
City of Tahlequah
City of Tulsa
INCOG
Muskogee County
Okmulgee County
Pottawatomie County
Seminole County
Tulsa County
<b>Housing Authorities</b>
Cherokee Nation Housing Authority
Citizen Potawatomi Nation Housing Department
Housing Authority of the City of Beggs
Housing Authority of the City of Henryetta
Housing Authority of the City of Konawa
Housing Authority of the City of Maud
Housing Authority of the City of Muskogee
Housing Authority of the City of Seminole
Housing Authority of the City of Shawnee
Housing Authority of the City of Stilwell
Housing Authority of the City of Tecumseh
Housing Authority of the City of Tulsa
Housing Authority of the City of Wewoka
Housing Authority of the Seminole Nation of Oklahoma
Housing Authority of the Town of Fort Gibson
Muscogee Creek Nation Department of Housing
<b>Non-Profits</b>
Catholic Charities of Oklahoma
Feed the Children
Habitat for Humanity
Homeless Alliance
Legal Aid Services of Oklahoma
Oklahoma Indian Legal Services
Recovering Oklahomans After a Disaster

Salvation Army
The Red Cross
United Way of Central Oklahoma
United Way of Pottawatomie County
<b>For Profit Organizations</b>
Freese and Nichols
<b>Tribal Nations</b>
Absentee Shawnee Tribe
Cherokee Nation
Citizen Potawatomi Nation
Muscogee Creek Nation
Seminole Nation of Oklahoma
<b>State and Federal Agencies</b>
EMSA
Federal Emergency Management Agency
HUD
Oklahoma Department of Agriculture
Oklahoma Department of Emergency Management
Oklahoma Department of Human Services
Oklahoma Department of Mental Health and Substance Abuse Services
Oklahoma Housing Finance Agency
Oklahoma Insurance Department
Oklahoma State Department of Health
US Department of Agriculture
US Department of Veterans Affairs

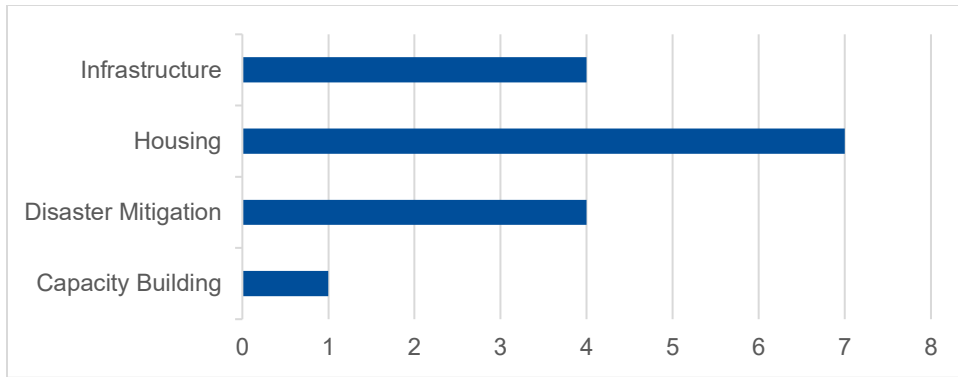
The State of Oklahoma recognizes that affected stakeholders are the center of, and partners in, the development and implementation of this plan. Opportunities for citizen input were provided throughout the planning process through surveys, a public hearing, posting, and direct outreach.

**Surveys:** In the development of this action plan, ODOC surveyed communities, organizations, tribal authorities, and citizens to better understand the remaining unmet needs and recovery areas. There were two surveys generated, one for community organizations and one for residents. The surveys were published on ODOC's website and were shared on the Department of Commerce's social media accounts in June 2023. The surveys remain open. The data included in the current version of this action plan was collected from responses as of September 28, 2023. The surveys were discussed at disaster recovery meetings and sector calls. In addition, the surveys were shared with communities directly.

To gather feedback from groups that are less likely to participate in the survey process, ODOC took the following steps. The surveys were emailed directly to representatives of the organizations and government agencies, who were encouraged to share them with individuals impacted by the disaster. These organizations often work directly with community members and survivors of the disaster, and thus are more familiar with the impacted areas and individuals. ODOC posted the surveys on social media, and ODOC employees added a link to the surveys in their email signatures. The surveys were also shared via GovDelivery to those who signed up for email updates on CDBG programs with the Department of Commerce. Last, ODOC staff shared the surveys with anyone asking about 2022 CDBG-DR assistance.

The surveys gathered 21 responses collectively. The community organization and local governments survey received 16 responses, and the residents survey received five responses. Community organization leaders viewed housing as the greatest remaining unmet need in their community (Figure 26).

*Figure 26: Community Leaders' Identified Unmet Needs*

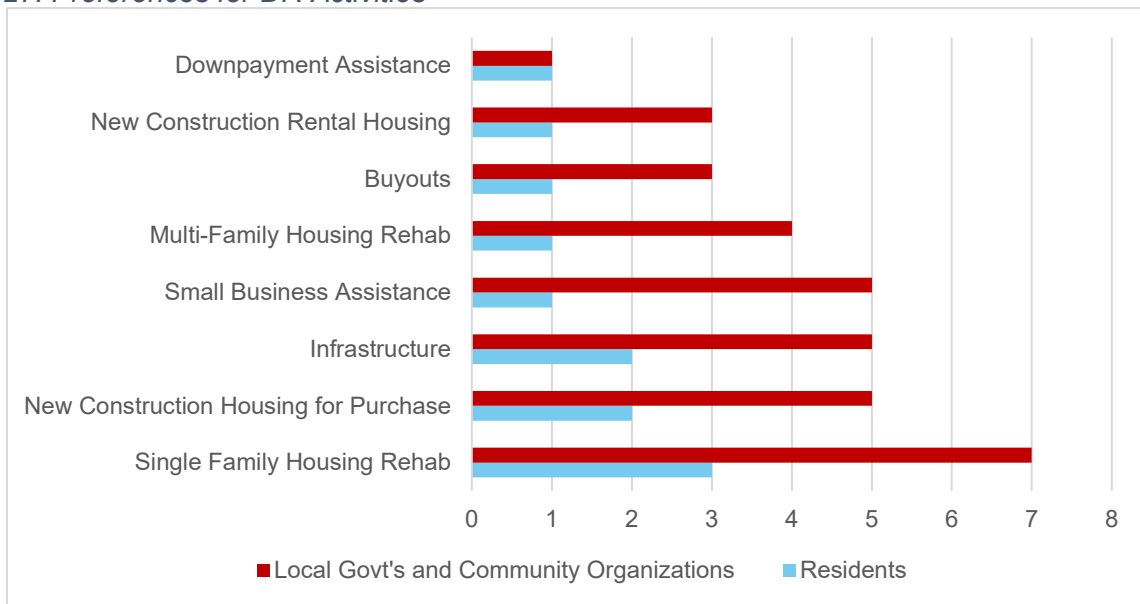


Source: Local Gov'ts, Tribal Nations, Community Orgs - 2022 Disaster Recovery Unmet Needs Survey. Total Responses = 16. Data collected September 28, 2023.

Note: Respondents could only select one option. Question asked: "Where do you see the most remaining unmet need in your community?"

When respondents were asked to identify the top three most beneficial activities, housing programs, and in particular single-family housing rehabilitation, was the most selected answer (Figure 27).

Figure 27: Preferences for DR Activities



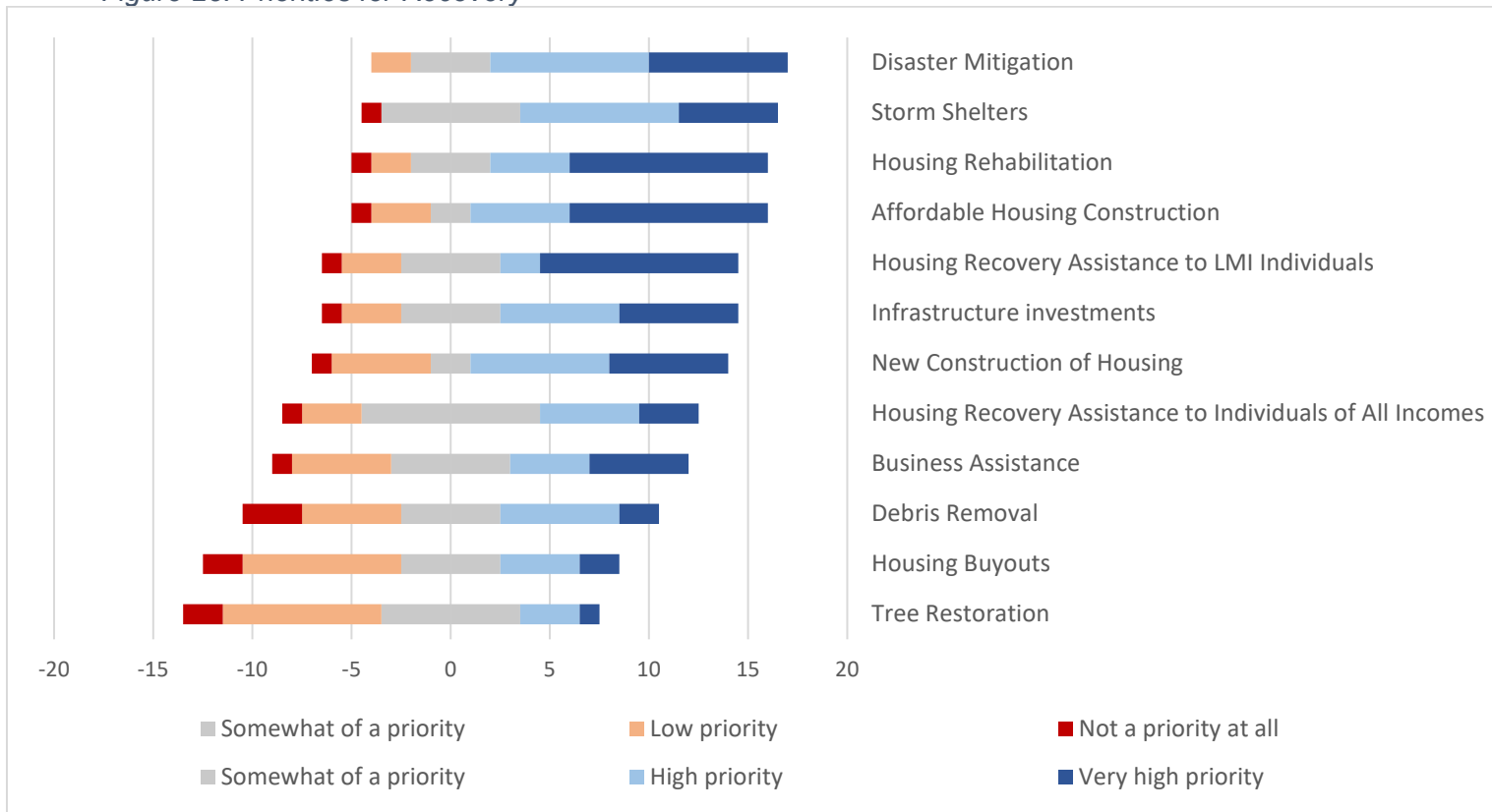
Source: Local Gov'ts, Tribal Nations, Community Orgs - 2022 Disaster Recovery Unmet Needs Survey and Residents - 2022 Disaster Recovery Unmet Needs Survey. Total Responses = 21. Data collected September 28, 2023.

Note: Survey Respondents could only select up to three responses. Question asked: "Which of the following activities would be the MOST beneficial for helping your community recover from the 2022 disaster?"

When residents and organization representatives were asked to rank activities based on how much the activities would benefit recovery, housing activities again ranked highly (Figure 28). Housing rehabilitation, housing recovery for LMI populations, and affordable housing construction were ranked as a "very high priority" the most often. Disaster mitigation and storm shelter investments were also frequently ranked as a "high priority." Tree restoration and housing buyouts were ranked the lowest recovery priority.



Figure 28: Priorities for Recovery



Source: "Local Gov'ts, Tribal Nations, Community Orgs - 2022 Disaster Recovery Unmet Needs Survey" and "Residents - 2022 Disaster Recovery Unmet Needs Survey." Total Responses = 21. Data collected September 28, 2023. Question asked: "Rank the priority of the following activities in helping you and your community recover."

**Direct Outreach:** ODOC encourages the provision of disaster data from communities and stakeholders through direct contact with ODOC. ODOC set up a disaster recovery inbox that is checked twice per week. Residents and communities can provide information and feedback on the program to the disaster recovery inbox at [DisasterRecovery@okcommerce.gov](mailto:DisasterRecovery@okcommerce.gov). In addition, ODOC directly contacted over 100 individuals at community organizations, local governments, and tribal nations via email to solicit data on disaster unmet needs.

ODOC also met directly with and established open lines of communication with major stakeholders, including the Muscogee (Creek) Nation, the Oklahoma Department of Emergency Management, the Oklahoma Housing Finance Agency, and Catholic Charities. ODOC continues to meet with interested stakeholders.

Citizens and organizations may submit public comments on the action plan or disaster recovery program in general by emailing [DisasterRecovery@okcommerce.gov](mailto:DisasterRecovery@okcommerce.gov), completing the unmet needs survey, or mailing a comment to:

Oklahoma Department of Commerce  
ATTN: Disaster Recovery Team, Community Development Division  
900 N Stiles  
Oklahoma City, OK 73104

In addition to the activities above, the State of Oklahoma has published this action plan on the CDBG-DR 2022 website (<https://www.okcommerce.gov/cdbg-disaster-recovery-2022/>) for a 30-day public comment period. Citizens were notified through GovDelivery and by posting

on ODOC's social media accounts. Additionally, citizens and organizations can review the document and add in-line comments using Adobe Acrobat, then submit the document with comments to [Disaster.Recovery@okcommerce.gov](mailto:Disaster.Recovery@okcommerce.gov).

The State of Oklahoma will ensure that all citizens have equal access to information, including persons with disabilities (vision and hearing impaired) and limited English proficiency (LEP). To meet this requirement, the Action Plan and all amendments are translated into Spanish, to ensure access to those with limited English Proficiency. ODOC will translate vital documents as determined by ODOC's Language Access Plan. Any person requiring translation or interpretation of any documents for the 2022 CDBG-DR program can access those services upon request. ODOC has procured translation and interpretation services for a wide range of languages, to ensure equal participation of persons with limited English proficiency (LEP). The Language Access Plan is currently available as part of ODOC's Citizen Participation Plan at this link: <https://www.okcommerce.gov/reporting-compliance/consolidated-plan/>.

ODOC will publish documents, including this Action Plan and future amendments, in a form that is accessible to persons with disabilities, using Microsoft Word and Adobe Acrobat accessibility features, including alternative text with images, and tagged PDFs. In addition, ODOC offers accessibility services that can be found here: <https://www.okcommerce.gov/about-us/accessibility-statement/>. A link to this page is included on the 2022 CDBG-DR website. ODOC will make information available in alternate formats as needed and upon request to ensure effective communication with all persons. A summary of citizen comments on this action plan, along with the State of Oklahoma's responses, is in Appendix C of this document. Public comments were accepted from November 9, 2023, to December 9, 2023.

For more information, citizens can refer to the State of Oklahoma's Citizen Participation Plan, which can be found at <https://www.okcommerce.gov/cdbg-disaster-recovery-2022/>.

### **3.1.2 Public Hearings**

Per the federal register (88 FR 32046), ODOC must convene at least one public hearing on the proposed action plan after it is published on ODOC's website. The public hearing is required during the 30-day comment period to obtain citizens' views and respond to proposals and questions. ODOC's public hearing on the proposed action plan was held virtually on November 28, 2023, at 2:00 PM. Holding the hearing virtually allows for the greatest participation of citizens who were impacted.

The public hearing will be held at a time and accessible location convenient to potential and actual beneficiaries, and with accommodations for persons with disabilities and LEP persons. For both virtual or in-person hearings, ODOC will provide reasonable notification and access for citizens in accordance with the state's certifications, timely responses to all citizen questions and issues, and public access to all questions and responses. ODOC will provide two weeks' notice of a public hearing to the public, by a post on the 2022 CDBG-DR website. The notice will also be sent out via GovDelivery and posted on ODOC's social media accounts.

### **3.1.3 Complaints**

**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](mailto:hotline@hudoig.gov)). The State of Oklahoma will make available to HUD detailed Fraud, Waste, and Abuse Policies and Procedures on ODOC's 2022 CDBG-DR website to demonstrate adequate procedures are in place to prevent fraud, waste, and abuse.

Complaints can be submitted to the Fair Housing and Equal Opportunity office or the HUD OIG directly. The contact information for the FHEO Region 4 office is (800) 669-9777 and [complaintsoffice06@hud.gov](mailto:complaintsoffice06@hud.gov). The HUD OIG Fraud Hotline is reachable at 1-800-347-3735 or [hotline@hudoig.gov](mailto:hotline@hudoig.gov)

ODOC or its subrecipients will provide a written response to each formal complaint within 15 working days of receipt of the complaint or will document why additional time for a response is needed.

Formal complaints are written statements of grievance and include emails, comments posted on the ODOC website, and handwritten complaints. ODOC shall detail the process and contact information (through the website or email) for submitting complaints in its program guidelines, application documents, and on the ODOC website. ODOC shall maintain a tracker for collecting and categorizing complaints through resolution.

Informal complaints are verbal complaints. ODOC and its subrecipients will attempt to resolve informal complaints; however, they are not subject to the written response process. Complaints submitted in alternative formats as a reasonable accommodation are acceptable.

**Appeals:** An appeal is a request for a reconsideration or reversal of a policy decision or interpretation. ODOC or its subrecipients will include a written appeals process within each set of program guidelines. The appeals processes will include but are not limited to:

- The process for submitting, tracking, and resolving a written appeal to the organization administering the program (ODOC or its subrecipients), to include whether an appeals committee will be established to review and/or rule on appeals.
- The documentation required when submitting an appeal.
- The timelines for reviewing and providing a response to the appeal.
- Clarification on what may or may not be appealed.

Generally, policies that have been approved and adopted within program guidelines may not be appealed. ODOC and its subrecipients do not have the authority to grant an appeal to a regulatory, statutory, or HUD-specified CDBG-DR requirement.

**Contact Information** To contact ODOC about a complaint or appeal, follow the specific information available in the program policy and procedures or contact:

- Website: <https://www.okcommerce.gov/cdbg-disaster-recovery-2022/>
- Toll-free number: 800-879-6552
- Text Telephone/Teletypewriter (TTY) and relay services:
  - 800-722-0353 for English
  - 800-662-4955 for Spanish
  - More information on this service can be found at the following website: <https://hamiltonrelay.com/oklahoma/index.html>
- Email: [DisasterRecovery@okcommerce.gov](mailto:DisasterRecovery@okcommerce.gov)
- Mail: Oklahoma Department of Commerce, ATTN: Disaster Recovery Team, Community Development Division, 900 N Stiles, Oklahoma City, OK 73104

## 3.2 Public Website

The State of Oklahoma 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, and activity and program information described in this plan, and details of all contracts and ongoing procurement processes.

These items are made available through the State's Disaster Recovery website (<https://www.okcommerce.gov/cdbg-disaster-recovery-2022/>). Specifically, the State of Oklahoma will make the following items available on the website:

- 2022 CDBG-DR Action Plan (and all future amendments)
- Performance Reports
- Citizen Participation Plan
- Procurement Policies and Procedures
- All executed contracts, as defined in 2 CFR 200.22, that will be paid with CDBG-DR funds (including subrecipients' contracts)
- HUD Contract Reporting Template, which includes a description and status update of services or goods currently being procured by ODOC or its subrecipients.
  - Contracts and procurement actions that do not exceed the micro-purchase threshold, as defined in 2 CFR 300.67, are not required to be posted on ODOC's website.
- Internal Auditor Reports
- ODOC's Anti-Fraud, Waste, and Abuse Policy, which includes information for beneficiaries, contractors, subrecipients, ODOC staff, and others on reporting fraudulent activity.
- ODOC will make beneficiaries aware of the risks of contractor fraud and other potentially fraudulent activity that can occur in communities recovering from a disaster, by having a fraud, waste, and abuse section on the 2022 CDBG-DR website that includes the following language and documentation:
  - "Please note, accessing CDBG-DR assistance is completely free. Report anyone attempting to collect fees for disaster recovery assistance or any other fraud, waste, or abuse to DisasterRecovery@okcommerce.gov. The CDBG-DR program is a federal grant, and there is no fee or cost for municipalities or residents to apply.
    - El programa CDBG-DR (un programa de subvención federal) es gratuito para municipios y residentes. No hay ninguno costo para solicitar o recibir asistencia. Por favor, manda un correo electrónico a DisasterRecovery@okcommerce.gov para informarnos si alguien está cobrando dinero por el programa o si usted cree que se ha encontrado fraude, malversación o abuso."
  - After a disaster, scam artists, identity thieves, and other criminals often attempt to take advantage of disaster survivors: watch for and report any suspicious activity.
  - FEMA Disaster Fraud Resources - <https://www.fema.gov/about/offices/security/disaster-fraud>
  - HUD OIG Hotline - <https://www.hudoig.gov/hotline>
  - Avoiding Post-Disaster Scams and Fraud - <https://files.hudexchange.info/resources/documents/OHC-DR-Toolkit-Avoiding-Post-Disaster-Scams-and-Fraud.pdf>
  - Oklahoma Attorney General Consumer Protection - <https://www.oag.ok.gov/consumer-protection>

- Oklahoma Attorney General Disaster Fraud Prevention - [https://www.oag.ok.gov/sites/g/files/gmc766/f/documents/2023/2023\\_disaster\\_scam\\_prevention\\_packet.pdf](https://www.oag.ok.gov/sites/g/files/gmc766/f/documents/2023/2023_disaster_scam_prevention_packet.pdf)
- ODOC will add information to the website advising impacted households to keep all relevant documentation.
- Information on where applicants can apply and check the status of their application, as applicable.
- Information on public hearings, surveys, and other opportunities for engagement
- Information on how to contact an interpreter or access other accommodations, as needed.
- Information on environmental reviews that require an Authority to Use Grant Funds (AUGF).

In addition, ODOC will maintain a comprehensive website regarding all disaster recovery activities assisted with these funds. ODOC will update this section of the Action Plan with subrecipients and partners and their websites as that information becomes available.

ODOC will translate vital documents as determined by ODOC's Language Access Plan. Any person requiring translation or interpretation of any documents for the 2022 CDBG-DR program can access those services upon request. ODOC has procured translation and interpretation services for a wide range of languages, to ensure equal participation of persons with limited English proficiency (LEP). The Language Access Plan is currently available as part of ODOC's Citizen Participation Plan at this link: <https://www.okcommerce.gov/reporting-compliance/consolidated-plan/>.

ODOC will publish documents in a form that is accessible to persons with disabilities, using Microsoft Word and Adobe Acrobat accessibility features, including alternative text with images, and tagged PDFs. In addition, ODOC offers accessibility services that can be found here: <https://www.okcommerce.gov/about-us/accessibility-statement/>. A link to this page is included on the 2022 CDBG-DR website. ODOC will make information available in alternate formats as needed and upon request to ensure effective communication with all persons.

ODOC provides the public with several methods of contact, all of which are described on the website:

- Call 405-815-6552 (toll-free 1-800-879-6552).
- Send mail to 900 N. Stiles Ave. Oklahoma City, OK 73104.
- Submit questions, comments, and complaints, or check the status of their application by filling out a "Contact Us" form at the bottom of the website.
- Send an email to [disasterrecovery@okcommerce.gov](mailto:disasterrecovery@okcommerce.gov) to submit questions, comments, or complaints, check the status of their application, or report fraud, waste, and abuse.
- Join the CDBG-DR electronic mailing list.
- Visit ODOC's social media pages, including LinkedIn, Facebook, X, and YouTube

ODOC's 2022 CDBG-DR website also contains information relevant to disaster survivors on how to report fraud, waste, and abuse. Survivors of the disaster and potential subrecipients can sign up for the disaster recovery mailing list on the website and will be notified of public hearings and engagement opportunities via the mailing list and website.

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. At a minimum, updates will be made monthly.

### 3.3 Amendments

Over time, recovery needs will change. Thus, the State of Oklahoma will amend the disaster recovery action plan as needed to best address 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. When unmet needs and program descriptions or other sections rise to the level of requiring an Action Plan amendment, ODOC will do the following:

- Ensure that the current version of the Action Plan is accessible for viewing as a single document, with all amendments, so that the public and HUD do not have to view and cross-reference changes among multiple amendments.
- Identify amendments by highlighting added or changed text and striking out deleted text.
- Include a table that clearly illustrates where funds are coming from and where they are going.
- Include a revised budget allocation table that reflects the entirety of all funds, if applicable to the amendment.

#### 3.3.1 Substantial Amendment

A change to this action plan is a substantial amendment if it meets one or more of the following criteria:

- A change in program benefit or eligibility criteria,
- The addition or deletion of an activity,
- A proposed reduction in the overall 70% LMI benefit requirement, as outlined in III.F.2. of the Consolidated Notice (88 FR 32075), or
- The allocation or reallocation of \$1,480,000.00

When the State of Oklahoma pursues the substantial amendment process, the amendment will be posted on the State's Disaster Recovery website (<https://www.okcommerce.gov/cdbq-disaster-recovery-2022/>) for a 30-day public comment period. The amendment will be posted in adherence with ADA and LEP requirements. ODOC will review and respond to all public comments received and submit to HUD for approval.

ODOC will provide residents, affected local governments, and other interested parties with a reasonable opportunity to review the plan or substantial amendment.

ODOC will identify and consider potential barriers that limit or prohibit equitable participation and will undertake reasonable measures to increase coordination, communication, affirmative marketing, targeted outreach, and engagement with underserved communities and individuals, including persons with disabilities and LEP persons. This includes translating the Action Plan according to the 2022 CDBG-DR Language Access Plan and posting the Action Plan amendment in a way that meets all accessibility requirements.

The State of Oklahoma will review and respond to all public comments received, written or verbal. Any updates or changes made to the action plan in response to public comments shall be clearly identified in the Action Plan. The public comments will be submitted to HUD with the Action Plan Amendment.

The State of Oklahoma will submit the Action Plan to HUD for approval and await receipt of approval before implementing the proposed change.



### **3.3.2 Non-Substantial Amendment**

A non-substantial amendment is an amendment to the plan that includes technical corrections, clarifications, and budget changes that do not meet the monetary threshold for substantial amendments to the plan and do not require posting for public comment. The State of Oklahoma will notify HUD five (5) business days before the change is effective.

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

## **3.4 Displacement of Persons and Other Entities**

To minimize the displacement of persons and other entities that may be affected by the activities outlined in this action plan, the State of Oklahoma will coordinate with the Oklahoma Housing Finance Agency and any subrecipients to minimize displacement. Should any proposed projects or activities cause the displacement of people, the Disaster Recovery Residential Anti-Displacement and Relocation Plan (RARAP) has been adopted to ensure the requirements of the Uniform Relocation Assistance and Real Property Acquisition Act of 1970 (URA), as amended are met.

ODOC has created a Disaster Recovery Residential Anti-displacement and Relocation Assistance Plan (RARAP) that has been adapted to meet the URA, Section 104(d), and related waivers and the alternative requirements specified in the Consolidated Notice. CDBG-DR funds may not be used to support any federal, State, or local projects that seek to use the power of eminent domain unless eminent domain is employed only for public use. ODOC and its subrecipients do not intend to use eminent domain to purchase any property with 2022 CDBG-DR funds.

These regulations and requirements apply to both property owners and tenants if proposed projects cause the displacement of persons or other entities. ODOC will include detailed policies and procedures for when proposed programs or projects could potentially cause the displacement of people or other entities. ODOC will budget to cover the costs involved in implementing those policies and procedures. Currently, it is not anticipated that the proposed programs will cause displacement.

## **3.5 Protection of People and Property**

The State of Oklahoma is committed to leveraging CDBG-DR funds to build economic and disaster resilience throughout the state. Some of the ways ODOC will do this are described in the sections below.

### **3.5.1 Elevation Standards**

All structures, defined at 44 CFR 59.1, designed principally for residential use, and located in the SFHA (1 percent annual [or 100-year] floodplain) that receive assistance for new construction, reconstruction, rehabilitation of substantial damage, or rehabilitation that results in substantial improvement (as defined in 24 CFR 55.2(b)(10)) must be elevated with the lowest floor, including the basement, at least two feet above the 1 percent annual floodplain elevation (base flood elevation). Structures that are elevated will meet federal accessibility standards.

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 a successor standard, up to at least two feet above base flood elevation.

Nonresidential structures, including infrastructure, assisted with CDBG-DR funds must be elevated or floodproofed in accordance with FEMA floodproofing standards at 44 CFR

60.3(c)(3)(ii) or a successor standard, up to at least two feet above 100-year (or 1 percent annual chance) floodplain (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)(3)(ii) or a 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)(3)(ii) or a 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.

In addition to other requirements in this section, ODOC and its subrecipients must comply with applicable state, local, and tribal codes, and standards for floodplain management, including elevation, setbacks, and cumulative substantial damage requirements. Structures that are elevated must meet federal accessibility standards.

The cost of elevation will be included as part of the overall cost of rehabilitation or replacement of a property. It is estimated that the costs will depend on the location, the size of the unit, and the level to which the property must be elevated. For single-family residences, if a home is within a 100-year floodplain, ODOC will ensure the reasonableness of elevation costs by analyzing multiple bids from contractors, cost estimating software, and/or examples of comparable costs to elevate in similar markets.

ODOC or subrecipients using CDBG–DR funds as the non-Federal match in a FEMA-funded project may apply the following alternative requirement for the elevation of structures, as described in section III.F.6 of the Consolidated Notice (88 FR 32076). If a project is funded by FEMA and CDBG–DR funds as the non-Federal match and a structure needs to be elevated, the alignment of HUD’s elevation standards with any alternative standard allowed by FEMA may not be feasible and may not be cost-reasonable. HUD established an alternative requirement for the use of an alternative, FEMA-approved flood standard instead of the HUD elevation requirements.

FEMA regulations at 44 CFR 9.11(d)(3)(i) and (ii) prohibit new construction or substantial improvements to a structure unless the lowest floor of the structure is at or above the level of the base flood and, for Critical Actions, at or above the level of the 500-year flood. However, 44 CFR 9.11(d)(3)(iii) allows for an alternative to elevation to the 100- or 500-year flood level, subject to FEMA approval, which would provide for improvements that would ensure the substantial impermeability of the structure below flood level. While FEMA may change its standards for elevation in the future, as long as the CDBG–DR grantee is following a FEMA-approved flood standard this waiver and alternative requirement will continue to apply.

This alternative requirement applies when:

- CDBG–DR funds are used as a match for FEMA assistance,
- The FEMA-assisted activity, for which CDBG–DR funds will be used as match, commenced before HUD’s obligation of CDBG–DR funds to ODOC; and
- ODOC, or the subrecipient has determined and demonstrated with records in the activity file that implementation costs of the required CDBG–DR elevation or flood proofing requirements are not reasonable costs, as that term is defined in the applicable cost principles at 2 CFR 200.404.

### **3.5.2 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 State of Oklahoma 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 State of Oklahoma 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% AMI or the national median,
- The property was in a floodplain at the time of the disaster, and
- The property owner did not maintain flood insurance on the damaged property, even if not required to obtain and maintain flood insurance

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, households 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% AMI or the national median and has unmet recovery needs.

The flood insurance requirement must be notified to any transferee in the event the property is transferred to a new owner.

### **3.5.3 Construction Standards**

The State of Oklahoma will require quality inspections and code compliance inspections on all projects and emphasizes 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. ODOC will work with localities to expedite the inspection and permitting processes.

All new construction, reconstruction, or rehabilitation of substantially damaged homes must meet the Green and Resilient Building Standard. The Green and Resilient Building Standard requires that all residential rehabilitation of substantial damage, reconstruction, or new construction assisted with CDBG-DR funds meet an industry-recognized standard that has 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 or NGBS Green + Resilience
- Living Building Challenge
- EPA Indoor AirPlus
- Any other equivalent comprehensive green building standard program acceptable to HUD

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

- Energy STAR (Certified Homes or Multifamily High Risk)

- 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
- Any other equivalent energy efficiency standard acceptable to HUD.

The State of Oklahoma will specify the standards that will be used for the proposed programs or activities within each set of program guidelines.

For rehabilitation of non-substantially damaged residential buildings, the State of Oklahoma 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)-designed products and appliances.

For infrastructure projects, the State of Oklahoma will encourage, to the extent practicable, the use of green infrastructure design and implementation, such as those issued by:

- EPA through their Green Infrastructure Design and Implementation Guidance
- HUD through their Green Infrastructure and Sustainable Communities Initiative

The term “substantial damage” applies to a structure in an SFHA or floodplain for which the total cost of repairs is 50% or more of the structure’s market value before the disaster occurred, regardless of the cause of damage.

All projects will be subject to cost reasonableness standards as outlined in the policies and procedures of the applicable program specific to the applicable activity.

### **3.5.4 Contractors Standards**

Contractors selected under the State of Oklahoma 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. ODOC will undertake the following efforts to help meet its Section 3 goals:

- For those entities that receive more than \$200,000 in HUD CDBG assistance and contractors that are awarded covered contracts that exceed \$200,000, ODOC requires that an approved Section 3 plan be in place before the project is awarded and approved.
- Contractors must include Specific Section 3 language in all solicitations (RFPs and bid documents).

The State of Oklahoma will report Section 3 accomplishments in the Disaster Recovery Grant Reporting (DRGR) system.

Recovery programs implemented by ODOC and its subrecipients will incorporate uniform best practices of construction standards for all construction contractors performing work in all relevant jurisdictions. Construction contractors will be required to carry the required licenses and insurance coverage(s) for all work performed, and State-contracted contractors will be required to provide a warranty period for all work performed.

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

CDBG-DR eligible projects. ODOC 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. ODOC will monitor subrecipient procurement. ODOC 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. ODOC will monitor all contract expenditures for quality assurance and to prevent, detect, and eliminate fraud, waste, and abuse.

ODOC will require a warranty period post-construction for housing: all work performed by the subrecipient, or contractor will be guaranteed for a period of one year. The homeowner will be provided with all applicable warranty information. Subrecipients or the state must inform the applicants at project completion what the home warranty terms are and when they expire. At a minimum, beneficiaries should be notified one month before the expiration date of the warranty.

Contractor standards and warranty periods will be further detailed in the respective policies and procedures documents and will pertain to the scale and type of work being performed, including the controls for ensuring that construction costs are reasonable and consistent with market costs at the time and place of construction. Rehabilitation contract work provided through a program included in this Action Plan may be appealed by homeowners and small businesses (if applicable) whose property was repaired by contractors under the State's control.

### **3.5.5 Preparedness, Mitigation, and Resilience**

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 primary focus of the disaster recovery program is to provide relief for those affected by disasters while complying with all CDBG-DR requirements and addressing recognized impediments to fair housing choice as required under the Fair Housing Act. All housing activities should consider the following objectives:

- Provide high-quality, durable, resilient, mold-resistant, energy-efficient, decent, safe, and sanitary housing that meets Green Building Standards and mitigates the impact of future disasters.
  - Resilient measures may include elevating the first floor of habitable area breakaway ground floor walls, reinforced roofs, storm shutters, and debris impact-resistant windows, as well as other measures.
  - Rental units also will follow safe, decent, and sanitary requirements in the impacted areas identified in the HUD-approved Action Plan.
- Prioritize low-income households while affirmatively furthering fair housing
- Emphasize housing choices and designs to reduce maintenance and insurance costs, as well as provide independent living options.
- Make improvements to reduce the possibility of property damage, personal and commercial hardship, and long-lasting monetary burdens.

In addition, ODOC will prioritize projects that:

- Support the adoption and enforcement of modern and/or resilient building codes that mitigate against natural hazard risks, including climate-related risks (e.g., high winds, storm surge, flooding, and wildfire risk) where appropriate, as may be identified in the jurisdiction's rating and identified weaknesses (if any) in building code adoption using FEMA's Nationwide Building Code Adoption Tracking (BCAT) portal, and provide for accessible building codes and standards, as applicable.
- Establish and support recovery efforts by funding feasible, cost-effective measures that will make communities more resilient against a future disaster.
- Make land-use decisions that reflect responsible and safe standards to reduce future natural hazard risks, e.g., by adopting or amending an open space management plan that reflects responsible floodplain and wetland management, if applicable.
- Increase awareness of the hazards in ODOC's communities (including for members of protected classes, vulnerable populations, and underserved communities) through outreach to the MID areas.

As subrecipients and activities are selected, this section will be updated to reflect the average cost of the chosen mitigation strategies, the cost reasonableness of the chosen strategies, and how the mitigation strategy is promoting long-term recovery.

### **3.5.6 Broadband Infrastructure in Housing**

Any substantial rehabilitation (as defined by 24 CFR 5.100), reconstruction, or new construction of a building with more than four (4) rental units will include installation of broadband infrastructure, except ODOC determines and documents that:

- 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 an undue financial burden, or
- The structure of the housing to be substantially rehabilitated makes installation of broadband infrastructure infeasible.

### **3.5.7 Cost-Effectiveness**

The State will establish policies and procedures to assess the cost-effectiveness of each proposed program or activity to assist a household under any residential rehabilitation or reconstruction program or activity funded with CDBG-DR funds. Policies and procedures also will establish the criteria for determining when the cost of the rehabilitation or reconstruction of the unit will not be cost-effective relative to other means of assisting the property owner.

ODOC will define "demonstrable hardship" in its policies and procedures before carrying out activities that may be subject to the one-for-one replacement housing requirements.

ODOC defines a residential property as "not suitable for rehabilitation" if any of these conditions apply:

- The property is declared a total loss.
- Repairs would exceed 50% of the cost of reconstruction.
- Homes cannot be rehabilitated or reconstructed in place under existing agency policies and award caps due to legal, engineering, or environmental constraints, such as permitting, extraordinary site conditions, or historic preservation.

The State may provide exceptions to award maximums on a case-by-case basis and will include procedures within program guidelines on how the State or its subrecipients will analyze



the circumstances under which an exception is needed, and the amount of assistance necessary and reasonable.

### **3.5.8 Duplication of Benefits**

Section 312 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, generally 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. To comply with Section 312, ODOC shall ensure that each program and activity provides assistance to a person or entity only to the extent that the person or entity has a disaster recovery need that has not been fully met.

Additionally, ODOC will require that all sources (federal, state, local, and private) and amounts of funding received or estimated to be received will be documented before awarding CDBG-DR funds to the applicant.

CDBG-DR grant funds may be used to satisfy a match requirement, share, or contribution for any other Federal program when used to carry out an eligible CDBG-DR activity. This includes programs or activities administered by the FEMA or the U.S. Army Corps of Engineers (USACE). Appropriations acts prohibit the use of CDBG-DR funds for any activity reimbursable by, or for which funds are also made available by FEMA or USACE.<sup>33</sup>

Program policies will outline a process for preventing duplication. Further, recipients of CDBG-DR funding are liable for repayment of the amount of Federal disaster assistance that duplicates benefits available for the same purpose from another source.<sup>34</sup> Any additional funds paid to applicant awardees for the same purpose as the assistance awarded after the CDBG-DR-funded project is completed must be returned to ODOC.

As per the Duplication of Benefits Policy, ODOC and its subrecipients are subject to the requirements in the Allocation Announcement Notice and Consolidated Notice for the 2022 CDBG-DR awards in addition to the Federal Register Notices explaining the duplication of benefits requirement (84 FR 28836 and 84 FR 28848, published June 20, 2019).<sup>35</sup>

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<sup>33</sup> 88 FR 32064

<sup>34</sup> 88 FR 32050 (42 U.S.C. 5155(c))

<sup>35</sup> 88 FR 32046

## 4 Grantee Proposed Use of Funds

**Overview.** The State of Oklahoma is the lead agency and responsible entity for administering \$7,473,000 in CDBG-DR funds allocated for disaster recovery. These programs include housing rehabilitation, infrastructure, and planning.

### 4.1 Program Budget

Table 37: Program Budget

Program Category	Program	Budget	HUD-Identified MID Budget	Grantee-Identified MID Budget	% Of Allocation	Maximum Award	National Objective	Estimated Outcome
Administration	Administration	\$373,650	\$298,920	\$74,730	5%	NA	NA	NA
Program Subtotal		\$373,650	\$298,920	\$74,730	5%			
Planning	Resilience and Mitigation Planning Grant Program	\$600,000	\$480,000	\$120,000	8%	NA	NA	3 Grants
Program Subtotal		\$600,000	\$480,000	\$120,000	8%			
Housing	Homeowner Rehab and Reconstruction	\$3,299,350	\$2,639,480	\$659,870	44%	\$100,000	LMH / UN	70 Units
Program Subtotal		\$3,299,350	\$2,639,480	\$659,870	44%			
Infrastructure	Public Infrastructure and Stormwater Management	\$3,200,000	\$2,560,000	\$640,000	43%	NA	LMA	4 projects
Program Subtotal		\$3,200,000	\$2,560,000	\$640,000	43%			
<b>Total Budget</b>		<b>\$7,473,000</b>	<b>\$5,978,400</b>	<b>\$1,494,600</b>	<b>100%</b>			

#### 4.1.1 Connection to Unmet Needs

As required by 88 FR 32046, the State of Oklahoma will allocate at least 80 percent of the funds to address unmet needs within HUD-identified “most impacted and distressed” areas, which are the Muscogee (Creek) Nation and Okmulgee County. The remaining 20 percent of the allocation may be used to address unmet needs in counties that received a DR-4657 or DR-4670 presidential major disaster declaration. ODOC has designated Adair, Cherokee, Muskogee, Pottawatomie, Seminole, and Tulsa Counties as the State-identified MID. These counties still have a significant amount of remaining unmet need.

This action plan primarily considers and addresses housing and infrastructure unmet needs because of the disaster. Housing needs represent 57% of the remaining unmet needs related to the disaster. The primary unmet housing need is in single-family housing repair. Most disaster impacts (89.45%) occurred in single-family homes, duplexes, or mobile homes. 74% of the applicants impacted by the disaster living in a house or duplex were owner-occupants, whereas 25.68% were renters. The current program allocation for single family housing repair will address 99% of the remaining unmet housing needs, because of the disaster’s disproportionate impact on single-family, owner-occupied housing. This program will assist primarily low-income homeowners, who often have needs remaining one or more years after the disaster. This program will also assist some households that are not below 80% AMI, to address the broader needs of the disaster-impacted communities. Because of the broad scale of the

disaster damage, there may be households with significant unmet needs who are above the income threshold. Their recovery will also positively impact the entire community. All housing repaired with these funds will incorporate hazard mitigation measures, so that homes are more resilient to future disasters. This program will prioritize low-income households first. Households above the income threshold will be lower priority. A minimum of 80 percent of the allocation for the housing program will benefit the Muscogee (Creek) Nation, which includes Okmulgee County, a historically underserved community, and HUD MID.

Currently, the state does not have any data reporting unmet affordable rental housing or public housing needs. If data from additional outreach indicates a need for CDBG-DR funding to address affordable rental housing recovery, the State will reconsider the current program allocation. If many respondents express an ongoing need to recover from the disaster, the state will consider completing a substantial amendment to its Action Plan to create a rental rehabilitation or new affordable rental construction housing program. Renters in Oklahoma are disproportionately low-income and people of color, and programs to benefit renters have a positive impact on historically underserved and vulnerable populations. The current allocation attempts to meet as much of the need as possible, while considering the State's capacity and the size of the CDBG-DR allocation.

Infrastructure represents 27.17% of the unmet needs from the disaster and 43% of the proposed allocation. This disproportionate allocation is in direct response to communications with the Muscogee (Creek) Nation. The Nation identified many infrastructure impacts from the disaster which still have not been met. The Muscogee (Creek) Nation identified many areas within the nation that have impassable roads. Some of the impacted infrastructure limits access to essential rural and tribal medical facilities, requiring residents to take alternate and much longer routes. The area impacted south of I-40 in the Creek Nation is very rural and impoverished. Infrastructure spending in these areas will benefit historically underserved tribal populations, as demonstrated in the fair housing assessment of the unmet needs analysis. Improved infrastructure increases economic activity and can lead to economic development in an area. The current allocation for infrastructure programs represents a significant public investment in a historically underserved area. Infrastructure investments have long-lasting recovery impacts and create more resilient and thriving communities. All infrastructure projects funded will incorporate hazard mitigation measures, to make infrastructure more resilient to future disasters.

The remaining unmet need is tied to economic revitalization. Economic development represents approximately 21% of the remaining unmet need. The State is not allocating any funds to economic development, because of the limited size of the CDBG-DR allocation. The goal of the funded programs is to provide secondary economic development benefits that spur recovery in this sector. Repairing disaster-damaged housing will provide a secondary benefit to businesses, by bringing displaced residents back to the community. It will also result in more households able to live in the impacted communities, by increasing the overall supply of housing. Damaged housing that was not inhabitable will become available again. Bringing households back to the community will support economic revitalization by increasing the number of customers in the area. In addition, repairing housing will benefit local communities with unmet infrastructure needs by increasing the sales tax revenue in the town, and increasing the property tax base. Most local governments in Oklahoma are fully funded by sales tax revenue. Infrastructure repairs in a community will benefit economic development, by allowing customers to return to impacted areas, and visit businesses. While program funding and capacity limit ODOC's ability to address economic development unmet needs, the funded programs will have secondary economic benefits that can help the community recover.

ODOC is currently setting aside \$600,000, or 8% of funds for planning activities that meet the definition of mitigation-only activities. ODOC is required to expend 15% or \$975,000 of

its funds on mitigation.<sup>36</sup> Expenditures for planning activities may be counted towards the HUD-identified MID area requirement if the subrecipient describes in its proposal how those planning activities benefit those areas. When subrecipients are selected, the benefit to the HUD MID will be described in this plan. Priority will be given to projects that benefit the HUD-identified MID. In addition to planning activities, ODOC's housing and infrastructure programs will incorporate mitigation measures to meet or exceed the 15% mitigation set-aside requirement. The planning activities will address mitigation unmet needs identified in this plan and state and local hazard mitigation plans. Oklahoma will continue to face natural disasters, including flooding, tornadoes, storms, drought, and extreme heat. These disasters will likely be exacerbated by climate change. The planning activities funded with 2022 CDBG-DR funds will address these identified risks and mitigate the impacts of future disasters. Housing and infrastructure activities are also required to incorporate hazard mitigation measures to reduce the impacts of recurring natural disasters and the long-term impacts of climate change.

At least 70 percent of all program funds will benefit LMI persons or households. The housing rehabilitation programs will require income verification and at least seventy percent of households that benefit from the owner-occupied housing rehabilitation program will be low- to moderate-income. The state expects to be at 90% or above benefit to LMI households for the owner-occupied housing rehab program, but 70% is the minimum. Infrastructure projects will be required to demonstrate benefit to at least 51% of households using the LMA national objective. Planning activities are presumed to meet a national objective.<sup>37</sup>

The current allocation amounts are designed to maximize the impact of the 2022 CDBG-DR allocation. The programs will have long-lasting mitigation impacts and will result in healthier, more resilient communities. The programs will also have secondary benefits to areas that could not be directly addressed with the current allocation. The program design will take advantage of existing capabilities and minimize administrative costs, thereby directing more funds to survivors and communities.

#### **4.1.2 Leveraging Funds**

ODOC anticipates leveraging CDBG-DR funds with other funding sources, such as FEMA grants, SBA loans, and other State and local funds. The State of Oklahoma understands the importance of leveraging all available funds and resources to increase its ability to address and mitigate major disasters. CDBG-DR funds will be used to address critical unmet needs that remain after all other federal sources have been committed and exhausted to prevent any duplication of benefits.

In addition, to ensure coordination in funding and activities, the State will utilize its strong interagency partnerships to ensure that information, program updates, and data are shared when necessary and utilize methods to reach vulnerable populations, protected classes, persons experiencing homelessness, and those who are historically underserved.

ODOC is committed to using CDBG-DR funds to address critical unmet needs that remain following the infusion of funding from other funding sources detailed below. Existing State resources and other funds from the disaster appropriation will be further examined to ensure that all available and viable funding is used where it is most needed and will be leveraged appropriately.

#### **4.1.3 Program Partners**

As indicated above, ODOC will actively coordinate with state partners and local governments in the implementation of these grants. In particular, the state will work closely with the Oklahoma Housing Finance Agency, the Oklahoma Department of Emergency Management

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<sup>36</sup> 88 FR 32055

<sup>37</sup> 88 FR 32068

and Homeland Security, the Muscogee (Creek) Nation, and other divisions within the Oklahoma Department of Commerce.

ODOC will engage program partners through formal interagency, intergovernmental, and subrecipient agreements as necessary to implement disaster recovery programs. ODOC will continue to participate as an active member of the Disaster Housing Recovery Task Force, which contains relevant State, local, federal, community, and nonprofit partners.

When engaging in formal agreements for the administration or implementation of programs, ODOC will ensure that subrecipients have the capacity and expertise to carry out the program activities in the scope of work. ODOC performs capacity verifications on subrecipients and requires monitoring and technical assistance based on the results of a capacity assessment. ODOC may help expand the capacity of subrecipients as needed. ODOC will provide technical assistance and training as needed on program requirements, applicable federal cross-cutting requirements, and reporting and performance metrics. The state may also allocate administrative funding as appropriate.

ODOC intends to partner with existing public service providers, especially Disaster Case Management providers, to complement the planned housing rehabilitation activity. Disaster Case Management is funded by FEMA after a disaster, to assist survivors in navigating recovery from a multitude of agencies. Many of the households who participate in and benefit from Disaster Case Management services are the most vulnerable and those with the least resources. Partnering with this public service in coordination with the housing rehabilitation activity will ensure that disaster survivors have the best chance at accessing much need housing rehabilitation resources. ODOC will work with Disaster Case Management to develop program policies and applications that are accessible to individuals with disabilities. Partnering with Disaster Case Management for the housing rehabilitation activity is contingent upon moving quickly to help survivors before the program is ended by FEMA. Disaster Case Management typically ends two years after the date of the disaster.

#### **4.1.4 Distribution of Funds**

##### **4.1.4.1 [Homeowner Rehabilitation and Reconstruction Program Method of Distribution](#)**

Due to the small grant allocation, the State's goal is to find one subrecipient to implement the housing rehabilitation program across the impacted areas. If necessary and using the appropriate procurement process, the state may hire or ask a subrecipient to hire a firm to assist a subrecipient in administering the housing funds. If applicable, the hired administrator will have experience with CDBG-DR funds. The State intends to award the funding directly to a nonprofit or UGLG, agency, COG, or tribal nation with experience in construction and housing rehabilitation and reconstruction.

This method of distribution (MOD) was informed by the housing unmet needs analysis, as single-family, owner-occupied housing suffered most of the damage from the disaster. The proposed subrecipient model would maximize the number of funds going to the HUD-identified MID, as the ideal subrecipient would serve the entire impacted area, which spans seven counties and one tribal nation. Distributing to UGLG subrecipients would limit the program scope to the UGLG jurisdiction, thereby leaving some survivors unable to access the assistance.

The threshold criteria, scoring criteria, and relative importance of each scoring criteria used to select the subrecipient are described in Section 4.2.1 Housing: Homeowner Rehabilitation and Reconstruction Program. The responsible entity, activity, and geographic area for each funded activity will be updated via a substantial amendment when subrecipients are selected. The program will serve a minimum of 70% LMI households and is anticipated to serve 90% LMI households. The activity is an eligible activity under rehabilitation,

reconstruction, elevation; HCDA Section 105(a)1, 4, 5, 11, and 14; applicable waivers identified in the Allocation Announcement Notice and Consolidated Notice (88 FR 32061).

#### 4.1.4.2 Public Infrastructure and Stormwater Management Program Method of Distribution

Infrastructure funding will be awarded primarily to UGLGs and tribal nations using a competitive subrecipient model. UGLGs (cities, towns, and counties), tribal governments, non-profits, and state agencies can apply to ODOC to implement public infrastructure projects. Only UGLGs state agencies, and tribal governments can assume the role of responsible entity. If nonprofits apply and are selected as a subrecipient, ODOC will retain the role of responsible entity. Eligible applicants may work with qualified organizations or partners to help implement the projects.

Through this program, ODOC will address unmet infrastructure and mitigation needs by addressing needed repairs or reconstruction to infrastructure impacted by the May 2022 storm events. This method of distribution was selected to maximize the impact of the program, by allowing for the best projects to be funded. This MOD will maximize the amount of funds going to the HUD MID because communities receive a higher score for being located within the HUD MID.

The threshold criteria, scoring criteria, and relative importance of each scoring criteria used to select the subrecipient are described in Section 4.2.2 Public Infrastructure and Stormwater Management. The responsible entity, activity, and geographic area for each funded activity will be updated via a substantial amendment when subrecipients are selected. The program will accept only applicants that meet the low- to moderate-income area (LMA) benefit national objective. Approximately 80% of funds in this program will be expended in the HUD MIDs. The activity is an eligible activity under acquisition, construction, reconstruction, or installation of public works, facilities, and site or other improvements; HCDA Section 105(a)1, 2, 4, 9, and 14; applicable waivers identified in the Allocation Announcement Notice and Consolidated Notice (88 FR 32064); other applicable waivers or alternative requirements.

#### 4.1.4.3 Resilience and Mitigation Planning Grant Program Method of Distribution

The allocated mitigation planning funding will be distributed based on competitive applications. These mitigation and planning activities must address a risk identified in the mitigation needs assessment of this Action Plan and/or the state or locality's hazard mitigation plan. There must be a clear connection between the funded activity and the mitigation needs assessment.

This method of distribution was selected to maximize the impact of the program, by allowing for the best projects to be funded. This MOD will maximize the amount of funds going to the HUD MID because communities receive a higher score for being located within the HUD MID.

The threshold criteria, scoring criteria, and relative importance of each scoring criteria used to select the subrecipient are described in Section 4.2.3 Planning: Resilience and Mitigation Planning Grant Program. The responsible entity, activity, and geographic area for each funded activity will be updated via a substantial amendment when subrecipients are selected.

Planning activities are presumed to meet a national objective under the requirements of 24 CFR 570.208(d)(4). CDBG funds expended for planning and administrative costs under [§ 570.205](#) and [§ 570.206](#) will be considered to address the national objectives. Approximately 80% of funds in this program will be expended in the HUD MID.

These funds can support plan development and capacity building consistent with the HCDA Section 105(a)(12); applicable waivers identified in the Allocation Announcement Notice and Consolidated Notice (88 FR 32046); and other applicable waivers or alternative requirements.



#### **4.1.5 Program Income**

Program income is defined as gross income generated from the use of CDBG-DR funds and received by a State or a subrecipient of a State. When income is generated by an activity that is only partially assisted with CDBG-DR funds, the income shall be prorated to reflect the percentage of CDBG-DR funds used. Program Income is also defined as the amount of revenue received in a single program year that is greater than or equal to \$35,000. Program income generated from a CDBG-DR federally funded project is subject to all federal requirements. (See 2 CFR 200.307, 24 CFR 570.489 & 570.504, Federal Register Notice Friday, February 9, 2018, Title I of the HCD Act and the CDBG regulations at 24 CFR Part 570).

ODOC is required to receipt program income payments, including general program income returned to the CDBG-DR program and general local program income retained by the subrecipient. Program income earned by Indian tribes that are subrecipients of ODOC will be subject to the program income requirements for subrecipients of ODOC.

If any program income is generated in connection with a subrecipient's administration of the CDBG-DR funding, such funds will remain with the subrecipient and will be expended under the method of distribution annotated within the applicable Action Plan. If the subrecipient cannot successfully fulfill this program income obligation, the State will assume the program income and reallocate the funds based on its current method of distribution as described in the applicable Action Plan or return the funds to HUD if necessary.

Program income received (and retained, if applicable) before or after the closeout of the grant that generated the program income, and used to continue CDBG-DR activities, is treated as additional CDBG-DR funds subject to the requirements of this notice and must be used in accordance with the ODOC's applicable action plan for CDBG-DR funds and according to 24 CFR 570.489(e) and 570.504.

Program income must be used for eligible CDBG-DR activities. CDBG-DR funds remain governed by CDBG-DR rules as long as they are used to continue disaster recovery activities. Program income is subject to all rules and regulations governing CDBG-DR funds including, but not limited to, compliance with national objectives, procurement, equal opportunity, environmental, labor standards, and lead-based paint hazard treatment.

ODOC does not anticipate generating program income as part of the 2022 CDBG-DR program activities, but if any program income is generated, ODOC and its subrecipients are required to follow the policies and procedures outlined on program income in the subrecipient policies and procedures manual. If the State includes loans and generates program income, the State has procedures in place to manage program income as outlined in our certifications to HUD (Section D.1 – Financial Management, Timely Expenditures, and Program Income).

#### **4.1.6 Resale or Recapture**

Resale or recapture requirements will vary by program and may not apply to all CDBG-DR programs. If applicable, the resale or recapture requirements are described within each of the program sections below, and program guidelines will provide additional details on the terms of resale or recapture and the specific circumstances under which resale or recapture will be used.

ODOC will ensure that affordability restrictions are enforceable and imposed by recorded deed restrictions, covenants, property liens, bylaws, or other similar mechanisms.

### **4.2 Program Details**

#### **4.2.1 Housing: Homeowner Rehabilitation and Reconstruction Program**

*Table 38: Homeowner Rehabilitation and Reconstruction Allocation*

<b>Program</b>	<b>Budget</b>	<b>HUD MID Budget</b>	<b>Grantee MID Budget</b>
Homeowner Rehabilitation and Reconstruction Program - LMI	\$2,309,545.00	\$1,847,636.00	\$461,909.00
Homeowner Rehabilitation and Reconstruction Program - UN	\$989,805.00	\$791,844.00	\$197,961.00
<b>Total</b>	<b>\$3,299,350.00</b>	<b>\$2,639,480.00</b>	<b>\$659,870.00</b>

#### 4.2.1.1 [Program Description](#)

The Homeowner Rehabilitation and Reconstruction Program (HRRP) will aid in the form of grants up to \$100,000 to eligible homeowners who experienced damage to their homes from DR-4657 and DR-4670 events and have remaining recovery needs after accounting for other duplicative benefits received.

The program will fund eligible rehabilitation and reconstruction costs, including additional costs to comply with Federal, State, and local construction standards, such as replacing on-site residential infrastructure, complying with green and resilient building standards, and ensuring that homes are accessible for individuals living with disabilities and senior residents. Eligible costs also include elevation, resilience, and other program-required mitigation costs that will help protect homes from natural hazards faced in disaster-impacted communities.

Participants whose properties are in a Special Flood Hazard Area (SFHA) or a 100-year floodplain, and who receive assistance for 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 2 feet above the 1% annual chance floodplain elevation (base flood elevation, BFE).

This program provides resources to households with damages or total loss of their home from the 2022 Severe Storms, Tornadoes, and Flooding events (DR-4657 and DR-4670). It is intended to help fill the gap between rebuilding costs and insurance (and other potential duplicative sources) and assist households in accessing additional program resources for energy efficiency and flooding or tornado mitigation measures. This program will leverage Federal, State, and local resources to reduce the gap between the cost of rebuilding or repair and the available resources through insurance and other financial assistance. The program is intended to provide for standard reconstruction costs; it will not fund premium construction and will likely not make everyone, or most, whole. Rather it provides resources so that those who want to return have the financial means necessary to do so.

Additional funds may be provided to address site-specific accessibility needs (e.g., ramps and lifts, or roll-in showers), environmental issues, on-site residential infrastructure repairs or replacement (e.g., septic tanks and wells), resilience and mitigation measures, elevation requirements, installation and transportation costs, relocation costs, and requirements of municipal ordinances, as needed.

This program will emphasize high-quality design, durability, energy efficiency, sustainability, and mold resistance in the repair of the impacted homes. It will also establish and support recovery efforts by funding feasible, cost-effective measures that will make communities and homes more resilient against a future disaster. These measures will be determined by the funded activity's resilience performance metrics.

#### 4.2.1.2 [Program Tieback to Disaster/Unmet Needs](#)

Through this program, ODOC will address unmet housing recovery needs by addressing needed repairs or reconstruction to homes impacted by the May 2022 storm events.

#### 4.2.1.3 How Program will Promote Housing for Vulnerable Populations

The State of Oklahoma aims to lead an equitable recovery from the 2022 storm events, which will require an examination of systemic policies and practices that may marginalize some populations and perpetuate disparities.

ODOC's Homeowner Rehabilitation and Reconstruction Program will help impacted residents, vulnerable populations, and members of underserved communities expedite their recovery by:

- Performing outreach and engagement to understand the needs of impacted participants and facilitating connections with vulnerable populations.
- Coordinating with local organizations to ensure that refugee and immigrant populations are aware of and can access assistance.
- Coordinating with local nonprofit organizations that provide services to people with disabilities and historically underserved populations to ensure the promotion of the program and help remove barriers to assistance.
- During the application process, ensure that eligible applicants to ODOC have the tools to market the program to potential beneficiaries.

The selected subrecipient will be encouraged to provide information and conduct outreach to impacted communities and individuals to inform them of HUD-Approved Housing Counseling services. HUD-Approved Housing Counseling Agencies can provide a range of services to homeowners, renters, and homeless persons during recovery including foreclosure mitigation, eviction prevention, making consumers aware of scams, and preparing for future disasters. HUD Approved Agencies can educate consumers about potential property risks and protections, the need for insurance, financial management, and other related topics.

In addition, the selected subrecipient will be required to conduct outreach to minority communities to ensure equal access and participation in the program.

#### 4.2.1.4 Program Definition of Second Home/Eligibility

Per the requirements in the Consolidated Notice, properties that served as second homes at the time of or following the disaster are not eligible for assistance for rehabilitation, reconstruction, new construction, or replacement. A "second home" is defined as a home that was not the primary residence of the owner, a tenant, or any occupant at the time of the disaster or at the time of application for CDBG-DR assistance.

The primary residence of the applicant will be verified at the time of application and before awarding funding to the applicant. The primary residence will be verified using a variety of documentation including, but not limited to, voter registration cards, tax returns, homestead exemptions, and driver's licenses. The detailed process of verification will be outlined in the program policies.

#### 4.2.1.5 Program National Objective(s)

Assistance provided under this program will meet the national objectives of benefiting LMI persons or households or addressing an urgent need. The program may use the Urgent Need national objective to assist eligible disaster-impacted applicants with incomes greater than 80% AMI. The national objective will be met based on the applicant's household income verified at the time of award by the jurisdiction to the beneficiary.

The urgent need national objective is justified by the threat to the health and welfare of damaged vacant or occupied homes as described in the unmet needs analysis. The urgent need national objective will be a lower priority than the LMI national objective. Households that qualify as LMI will be prioritized for funding and resources. The use of the Urgent Need national

objective is justified by the scale of the disaster, which impacted some households that are not LMI, but do not have additional resources (e.g., insurance) to repair their homes.

The submission of this Action Plan on December 19, 2023, documenting the State's intention to use the Urgent Need national objective satisfies the requirement in the Consolidated Notice (88 FR 32046) to document the use of this objective in the State's Action Plan within 36 months of the Allocation Announcement Notice (May 18, 2023).

#### 4.2.1.6 Program Eligibility

Rehabilitation, reconstruction, elevation; HCDA Section 105(a)1, 4, 5, 11, and 14; applicable waivers identified in the Allocation Announcement Notice and Consolidated Notice (88 FR 32061).

Reimbursement of some pre-award costs of homeowners is allowed. Pre-award costs must meet the criteria outlined in the subrecipient procurement manual to be eligible expenses, including, but not limited to:

- The cost was incurred on or after May 2, 2022,
- The cost was for expenses related to the disaster; and,
- The person incurred the expenses within one year after the applicability date of the ODOC's Allocation Announcement Notice (May 18, 2023);
- The person pays for the cost before the date on which the person applies for CDBG-DR assistance (88 FR 32075); and,
- The cost can meet all procurement, environmental, and cross-cutting requirements.

To be eligible for the program, homeowners must meet the following criteria:

- The damaged property must have been the applicant's primary residence at the time of the disaster.
- The damaged property must have sustained damage because of the May 2022 storm events.
- The damaged property must be an eligible structure as defined in the program guidelines, including but not limited to single-family residences, manufactured homes, and prefabricated homes.

Program applicants (potential subrecipient) must be in or serve a HUD or State-identified MID area. Oklahoma has decided to expand the HUD-identified MID area in ZIP code 74447 to include the entirety of Okmulgee County.

#### 4.2.1.7 Program Responsible Entity

Nonprofits, state agencies, UGLGs (cities, towns, and counties), and tribal governments can apply to ODOC to operate a homeowner rehabilitation and reconstruction program. Only UGLGs, state agencies, and tribal governments can assume the role of responsible entity. If nonprofits apply and are selected as a subrecipient, ODOC will retain the role of responsible entity. Eligible applicants may work with qualified organizations or partners to help implement the projects. Beneficiaries will then apply to the entity or their implementation partner for participation in the program.

At the time of submission to HUD the responsible entity for each program activity is unknown. ODOC will update this section of the Action Plan through a substantial amendment to identify the use of CDBG-DR program funds by responsible entity once the information is known.<sup>38</sup>

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<sup>38</sup> 88 FR 32071

The subrecipient and ODOC will meet the applicable environmental requirements, listed under 24 CFR Part 58, before the use or commitment of fund for each activity. After the Responsible Entity (RE) 1) completes environmental review(s) pursuant to 24 CFR Part 58 and receives from HUD (or ODOC) an approved Request for Release of Funds (RROF) and certification (as applicable), or 2) adopts another Federal agency's environmental review, approval, or permit and receives from HUD (or the state) an approved Request for Release of Funds and certification (as applicable), the grantee may draw down funds from the line of credit for an activity.

#### 4.2.1.8 Program Maximum Assistance

Each rehabilitated or reconstructed home is eligible for a maximum award of \$100,000 per property. Exceptions to the award cap may be necessary in certain cases (e.g., accessibility improvements) and will be determined on a case-by-case basis. Exceptions will be determined by following the process described in the Housing Rehabilitation Program Policies and Procedures.

There is no maximum award amount for the program subrecipients.

#### 4.2.1.9 Program Estimated Begin and End Dates

ODOC estimates the program will begin accepting applications in March of 2024 and close out in March of 2029. This timeline is subject to change.

#### 4.2.1.10 Other Program Details

If eligible, the state's subrecipient will complete an inspection of the applicant's property to document structural damage and develop a cost estimate for repairs or reconstruction. Based on this cost estimate, the state's subrecipient will conduct a duplication of benefits review with the applicant to ensure no other funds were provided for the same repairs. The results of the duplication of benefits review will determine the maximum award amount that will be verified by ODOC. Program guidelines will outline the details of a maximum award, including how change orders or unanticipated scope increases will be addressed.

Program guidelines will further detail eligible construction activities, including but not limited to exterior repairs, interior repairs, electrical, plumbing, mechanical, resilient mitigation, and lead abatement (when required by federal regulations). The state's subrecipient will develop a detailed scope of work and bid the project or complete the project directly (if the subrecipient is a nonprofit with construction experience). If contractor procurement is required, the state's subrecipient will follow federal procurement requirements, verify contractor eligibility, select the contractor, and directly fund the contractor for completed work (if applicable). This program structure will ensure that construction costs are reasonable and consistent with market costs. Procurement processes must always follow the CDBG-DR procurement policies, including completing a cost or price analysis when required. The beneficiary will not select or fund the contractor directly.

The subrecipient must provide a description of the standards to be established for construction contractors performing work and the mechanisms to be used by the subrecipient to assist beneficiaries in responding to contractor fraud, poor quality work, and associated issues. Subrecipients must implement a one-year warranty period post-construction with a formal notification to beneficiaries periodically. At a minimum, beneficiaries should be notified one month before expiration date of the warranty.

The State will establish performance resilience metrics specific to each funded activity to construct, reconstruct, or rehabilitate structures. The metrics will include:

1. An estimate of the projected risk to the completed activity from natural hazards, including those hazards that are influenced by climate change (e.g., high winds destroying newly built homes),
2. Identification of the mitigation measures that will address the projected risks (e.g., using building materials that are able to withstand high winds), and
3. An assessment of the benefit of the grantee's measures through verifiable data (e.g., 10 newly built homes will withstand high winds up to 100 mph).

ODOC will require its subrecipients to provide estimates of risk for each funded activity and may request additional information to develop the performance resilience metrics.

#### 4.2.1.11 Program Competitive Application Overview (if applicable)

Application approval and associated funding decisions will be made through the evaluation of threshold criteria related to the grant application and subject to funding availability. The state is seeking a single subrecipient to administer the program throughout the entire impacted area and will accept simplified applications for the work to expedite funding availability for survivors. The ideal approach will utilize a nonprofit, agency, or other eligible subrecipient with experience in housing construction and rehabilitation, paired with the procurement of a contractor to assist the subrecipient in CDBG-DR administration.

For applications to be eligible, applicants must show that the project will:

- Repair or replace homes damaged because of DR-4657 or DR-4670
- Impact vulnerable communities
- Meet a national objective
- Qualify as a CDBG-DR-eligible activity
- Be in a declared disaster-affected area

All applications must meet the threshold criteria described above to be funded. If multiple applications are received, ODOC will score applications using a competitive scoring rubric that will be based on the following criteria:

- Project will serve all disaster-impacted areas (10 points) OR project will serve residents of one of the HUD- or grantee-identified MIDs (preference will be given to HUD-identified MID areas) (8 points HUD MID / 5 points grantee MID)
- Subrecipient has experience completing housing construction and rehabilitation projects (10 points)
- All sources of funds are identified (5 points)
- Anticipated budget that is provided is cost-reasonable (5 points)
- The degree by which proposed designs and plans will mitigate future hazards and meet a green and resilient building standard as appropriate (10 points)

ODOC may directly solicit applications from eligible subrecipients who have experience in construction and housing rehabilitation to find the best subrecipient to serve disaster survivors. All applications must meet the threshold criteria to be funded.

If no subrecipient applies who can administer a program throughout the entire impacted area, the state may fund multiple subrecipients on a competitive basis as funding allows. If this is the case, ODOC will establish a new open application window and deadlines for subrecipients that cannot serve the entire state. The threshold criteria and scoring criteria will remain the same.

#### 4.2.1.12 Program Method of Distribution Description/Overview (if applicable)

The state will establish an application window with deadlines. ODOC may directly solicit applications from eligible subrecipients who have experience in construction and housing



rehabilitation to find the best subrecipient to serve disaster survivors. All applications must meet the threshold criteria to be funded. ODOC will review the applications and make a funding determination based on the competitiveness and completeness of the applications. Priority will be given to subrecipients that can serve the entire disaster-impacted area.

If no subrecipient applies who can administer a program throughout the entire impacted area, the state may fund multiple subrecipients on a competitive basis as funding allows. If this is the case, ODOC will establish a new open application window and deadlines for subrecipients that cannot serve the entire state. The threshold criteria and scoring criteria will remain the same.

#### 4.2.1.13 How Mitigation Set-Aside Activities Will Meet the Definition of Mitigation? (If Applicable)

Mitigation activities are defined 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, lessening the impact of future disasters. Homeowner rehabilitation and reconstruction activities that will meet the mitigation set-aside definition include but are not limited to:

- Roof repair to withstand higher winds and help prevent water infiltration.
- Elevating a water heater or furnace to avoid future flood damage.
- Elevating or moving an electrical panel to avoid future flood damage.
- Add a waterproof veneer to exterior walls to prevent damage from shallow flooding.
- For MHUs – roof protection and corner bracing
- Adding a tornado shelter or safe room

Mitigation activities should address a disaster risk for the household and should be backed by research that proves their effectiveness at reducing disaster impacts.

#### 4.2.1.14 How Mitigation Set-Aside Activities Will Address Current & Future Risks? (If Applicable)

Mitigation activities will address current and future risks by addressing risks identified in the mitigation needs assessment in this document, and risks identified in the state or locality's hazard mitigation plan. Priority should be placed on mitigating risk from flooding, high winds, tornados, and severe storms. Other risks can be mitigated if the need and hazard is documented.

### **4.2.2 Public Infrastructure and Stormwater Management**

*Table 39: Public Infrastructure and Stormwater Management Allocation*

<b>Program</b>	<b>Budget</b>	<b>HUD MID Budget</b>	<b>Grantee MID Budget</b>
Public Infrastructure and Stormwater Management - LMA	\$3,200,000.00	\$2,560,000.00	\$640,000.00

#### 4.2.2.1 Program Description

This program provides funding for infrastructure projects that will help impacted communities recover from the May 2022 storm events and become more resilient to current and future natural hazards. Under this program, ODOC will seek to fund recovery activities including improvements to community water and sewer systems and mitigation activities such as stormwater management systems, both engineered and nature based. ODOC developed this program to not only support communities in replacing and rebuilding what was damaged or lost in the disaster events but also to implement mitigation measures.

The goal of the Public Infrastructure and Stormwater Management program is to provide a resilient recovery by:

- Reducing or eliminating the long-term risk of loss of life, injury, and damage from future disaster events
- Recovering from the disaster impacts
- Protecting publicly funded recovery investments in impacted communities

ODOC will prioritize projects that provide essential public infrastructure in LMI and socially vulnerable communities, protect life and property, and address the needs of members of protected classes, HUD-identified vulnerable populations, and historically underserved communities. Public infrastructure projects will be selected through ODOC's competitive application process.

This program will emphasize high-quality design, durability, energy efficiency, sustainability, and mold resistance in the repair of the impacted infrastructure, wherever applicable. It will also establish and support recovery efforts by funding feasible, cost-effective measures that will make infrastructure more resilient against a future disaster. These measures will be determined by the funded activity's resilience performance metrics.

#### 4.2.2.2 Program Tieback to Disaster/Unmet Needs

Through this program, ODOC will address unmet infrastructure and mitigation needs by addressing needed repairs or reconstruction to infrastructure impacted by the May 2022 storm events.

#### 4.2.2.3 How Program will Advance Long-Term Resilience

This program is designed to promote sound, sustainable long-term recovery, and projects that account for the unique hazards, opportunities, land use restrictions, underserved communities, and disaster impacts within Oklahoma's impacted communities. Applicants will be asked to describe the data and/or planning analysis they will use in their evaluation of hazard risk, including climate-related natural hazards. Applicants will also be asked to demonstrate how the projects will be operated and maintained beyond the life of the CDBG-DR grant, including incorporating technologies to prevent early failures of the project.

All newly constructed infrastructure that is assisted with CDBG-DR funds must be designed and constructed to withstand extreme weather events and the impacts of climate change. ODOC will develop and implement resilience performance metrics for each funded activity.

Eligible projects may consider how to mitigate, eliminate, or reduce loss of life or property concerning the natural hazards identified in the Mitigation Needs Assessment. Applicants seeking to incorporate mitigation should evaluate whether their project:

- Mitigates the risk to public infrastructure
- Mitigates the risk to one or more of FEMA's community lifelines, including safety and security; food, water, and shelter; health and medical; energy; communications; transportation; and hazardous materials
- Incorporates nature-based solutions
- Protects and benefits disadvantaged communities
- Promotes resiliency through ancillary or triple-bottom-line benefits (social, environmental, and economic benefits)
- Considers climate change and future conditions
- Leverages federal, State, and local partnerships

#### 4.2.2.4 How Program will Address Disaster-Related Storm Water Mgmt./Other Systems

Under this program, ODOC will seek to fund recovery activities including improvements to community water and sewer systems and mitigation activities such as stormwater management systems, both engineered and nature based. ODOC developed this program to not only support communities in replacing and rebuilding what was damaged or lost in the disaster events but also to implement mitigation measures.

#### 4.2.2.5 Program National Objective(s)

The program will accept only applicants that meet the low- to moderate-income area (LMA) benefit national objective.

#### 4.2.2.6 Program Eligibility

Acquisition, construction, reconstruction, or installation of public works, facilities, and site or other improvements; HCDA Section 105(a)1, 2, 4, 9, and 14; applicable waivers identified in the Allocation Announcement Notice and Consolidated Notice (88 FR 32064); other applicable waivers or alternative requirements.

Activities may include acquisition, planning, engineering, and construction. Infrastructure improvements can also include improvements intended for flood protection, drainage improvement, and hazard mitigation. Types of eligible projects include:

- Improvement or rehabilitation of existing infrastructure such as community water and sewer systems
- New or enhanced stormwater management practices

Funds cannot be used to cover the costs for maintenance and operation, purchase of construction equipment, or buildings used for general use by government entities. Private utilities can now be funded with CDBG-DR funds.

Program applicants must be in or serve a HUD or State-identified MID area. Oklahoma has decided to expand the HUD-identified MID area in ZIP code 74447 to include the entirety of Okmulgee County.

Pre-award expenses are not eligible for reimbursement for this program.

#### 4.2.2.7 Program Responsible Entity

UGLGs (cities, towns, and counties), tribal governments, non-profits, and state agencies can apply to ODOC to implement public infrastructure projects. Only UGLGs, state agencies, and tribal governments can assume the role of responsible entity. If nonprofits apply and are selected as a subrecipient, ODOC will retain the role of responsible entity. Eligible applicants may work with qualified organizations or partners to help implement the projects.

The use of certified CDBG grant administrators is encouraged.

At the time of submission to HUD the responsible entity for each program activity is unknown. ODOC will update this section of the Action Plan through a substantial amendment to identify the use of CDBG-DR program funds by responsible entity once the information is known.<sup>39</sup>

The subrecipient and ODOC will meet the applicable environmental requirements, listed under 24 CFR Part 58, before the use or commitment of fund for each activity. After the Responsible Entity (RE) 1) completes environmental review(s) pursuant to 24 CFR Part 58 and receives from HUD (or ODOC) an approved Request for Release of Funds (RROF) and certification (as applicable), or 2) adopts another Federal agency's environmental review, approval, or permit and receives from HUD (or the state) an approved Request for Release of

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<sup>39</sup> 88 FR 32071

Funds and certification (as applicable), the grantee may draw down funds from the line of credit for an activity.

#### 4.2.2.8 Program Maximum Assistance

There is no maximum amount of assistance for infrastructure projects. Funding is allocated for each project based on the eligibility criteria below. Each project will be evaluated related to the costs and benefits of the infrastructure project. The cost-benefit analysis must be submitted with the application. These benefits will not only include recovery but also consider the long-term benefits of protection against future risks.

#### 4.2.2.9 Program Estimated Begin and End Dates

The program is estimated to begin in the Spring of 2024. The program will end when all funds have been expended and all eligible participants have completed closeout, or 6 years after the execution of the grant agreement with HUD.

#### 4.2.2.10 Other Program Details

Beneficiaries of public infrastructure projects will be those residents located within the defined service area of the public facility. If the service area in which the infrastructure is located contains 51% or more LMI residents, then the service area can be considered to meet the LMI national objective.

The State will establish performance resilience metrics specific to each funded activity that constructs, reconstructs, or rehabilitates infrastructure. The metrics will include:

1. An estimate of the projected risk to the completed activity from natural hazards, including those hazards that are influenced by climate change (e.g., flooding destroying newly repaired roads),
2. Identification of the mitigation measures that will address the projected risks (e.g., elevating the road), and
3. An assessment of the benefit of the grantee's measures through verifiable data (e.g., 10 miles of road will withstand floodwaters up to 10 feet).

ODOC will require its subrecipients to provide estimates of risk for each funded activity and may request additional information to develop the performance resilience metrics.

#### 4.2.2.11 Program Competitive Application Overview (if applicable)

Application approval and associated funding allocations will be made through the evaluation of threshold criteria related to the grant application and subject to funding availability. ODOC will assess each application based on the response to the following criteria.

For applications to be eligible, applicants must show the project:

- Is an eligible activity under CDBG-DR
- Meets a CDBG-DR national objective
- Mitigates risk to critical public infrastructure
- Is in the disaster-impacted area

ODOC will establish weighted scoring that will assess the following factors:

- Whether the project is in one of the HUD-identified MIDs (15 points)
- How the project will address a disaster-related impact (10 points)
- Whether the project can be implemented successfully as designed (10 points)
- How effective the proposed project is in protecting the public, including members of protected classes, HUD-defined vulnerable populations, and historically underserved communities, from the risks in each of the respective impacted

- communities, and how the project serves historically underserved populations. (10 points)
- How the project will mitigate natural hazard risks, including climate-related risks, to critical structures, facilities, and systems (e.g., FEMA's community lifelines or other disaster-related systems) (10 points)
- Whether the project considers future conditions (5 points)
- Whether the project incorporates nature-based solutions such as grade-stabilization structures, wetland development, riparian buffers or filter strips, or Karst stormwater best management practices (5 points)
- The extent to which the project will achieve objectives outlined in regionally or locally established plans and policies that are designed to reduce future risk to the jurisdiction (5 points)
- The outreach and engagement plan and efforts carried out by the applicant, including specific outreach to the tribal jurisdiction in which the project would take place (5 points)
- Alignment with plans created by or endorsement by the tribal nation in which the project would take place (5 points)
- The cost-reasonableness of the project (applications must include an engineer's estimate or equivalent) (5 points)
- The cost benefit analysis of the project, as determined by the applicant submission (5 points)
- How the grantee will align infrastructure investments with other planned federal, state, or local capital improvements and infrastructure development efforts, and will work to foster the potential for additional infrastructure funding from multiple sources, including state and local capital improvement projects in planning, and the potential for private investment (e.g., other funds leveraged) (5 points)
- How the grantee will employ adaptable and reliable technologies to prevent premature obsolescence of infrastructure and the ability of the applicant to operate and maintain the project beyond the life of the CDBG-DR grant (5 points)
- Other benefits of the project (5 points)

#### 4.2.2.12 Program Method of Distribution Description/Overview (if applicable)

There will be an open application window with deadlines and a competitive review process. ODOC will receive the applications and make funding decisions based on the competitiveness and completeness of the application, justification for funding, and feasibility of the project. ODOC may coordinate with other State partners, such as the Oklahoma Water Resources Board, ODEQ, and ODEMHS, to provide technical assistance to communities in developing applications and assist in evaluating and scoring applications based on the criteria described in this plan.

#### 4.2.2.13 How Mitigation Set-Aside Activities Will Meet the Definition of Mitigation?

Mitigation activities are defined 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, lessening the impact of future disasters. Infrastructure activities that will meet the mitigation set-aside definition include but are not limited to:

- Incorporation of nature-based solutions such as grade-stabilization structures, wetland development, riparian buffers or filter strips, or Karst stormwater best management practices
- Elevation of roads and bridges
- Floodproofing wastewater treatment facilities located in flood hazard areas

- Protect and restore natural flood mitigation features
- Using natural environmental features as wind buffers in site design.
- Burying power lines
- Retrofitting public infrastructure to reduce future wind damage

Mitigation activities should address a disaster risk for the community and should be backed by research that proves their effectiveness at reducing disaster impacts.

#### 4.2.2.14 How Mitigation Set-Aside Activities Will Address Current & Future Risks?

Mitigation activities will address current and future risks by addressing risks identified in the mitigation needs assessment in this document, and/or risks identified in the state or locality's hazard mitigation plan. Priority should be placed on mitigating risk from flooding, high winds, tornados, and severe storms. Other risks can be mitigated if the need and hazard is documented.

### 4.2.3 Planning: Resilience and Mitigation Planning Grant Program

*Table 40: Resilience Planning Allocation*

Program	Budget	HUD MID Budget	Grantee MID Budget
Resilience and Mitigation Planning Grant Program	\$600,000	\$480,000	\$120,000

#### 4.2.3.1 Program Description

This program provides grants to local governments, nonprofits, or their administrators to assist in meeting the community's mitigation and resilient rebuilding goals. This program is considered a mitigation-only activity. The goal of the program is to reduce long-term risk and increase local resilience through community education, capacity-building, and planning efforts.

Mitigation activities are defined 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. Resilience is defined as a community's ability to minimize damage and recover quickly from extreme events and changing conditions, including natural hazard risks. This program will fund activities that mitigate the impacts of future disasters and increase resilience.

Depending on funding availability, types of activities could include but are not limited to:

- Updating or creating watershed and stormwater management plans in partnership with the appropriate agencies
- Developing local plans that focus on mitigation and resiliency
  - CDBG-DR funds may also be used to create or update local comprehensive plans that emphasize resiliency and mitigation activities as they relate to housing development, public land use, and infrastructure.
  - Plans can involve the development of updated local codes and standards to improve resilience, including using FEMA's Building Codes Toolkit or current IBC codes. Funding may also be used to develop floodplain ordinances with higher regulatory standards or other planning efforts designed for mitigation and resiliency.
- Capacity-building activities to enhance the capabilities of local governments, Indian tribes, housing development organizations, Community Development Corporations (CDCs), and Community Housing Development Organizations (CHDOs), to carry out community development and affordable housing activities that benefit low- and



moderate-income families and persons with an emphasis on mitigation and resiliency after a disaster.

These mitigation and planning activities must address a risk identified in the mitigation needs assessment of this Action Plan and/or the state or locality's hazard mitigation plan. There must be a clear connection between the funded activity and the mitigation needs assessment.

Applicants must describe in their application the steps they will take to increase awareness of the hazards in their communities (including for members of protected classes, vulnerable populations, and underserved communities) through outreach.

The goal of this program is to support activities that will:

- Support adoption and enforcement of modern and/or resilient building codes that mitigate against natural hazard risks, including climate-related risks (e.g., high winds, flooding, and wildfire risk, as may be identified in the jurisdiction's rating and identified weaknesses in building code adoption using FEMA's Nationwide Building Code Adoption Tracking (BCAT) portal), and provide for accessible building codes and standards, as applicable;
- Make land-use decisions that reflect responsible and safe standards to reduce future natural hazard risks, (e.g., by adopting or amending an open space management plan that reflects responsible floodplain and wetland management), and;
- Increase awareness of the hazards in their communities (including for members of protected classes, vulnerable populations, and underserved communities) through outreach.

#### 4.2.3.2 How Mitigation Set-Aside Activities Will Meet the Definition of Mitigation? (If Applicable)

The planning activities will be required to meet the definition of a mitigation activity and describe how the definition is met in the application. Mitigation activities are defined 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.

Planning and capacity-building activities generally mitigate risk from disaster by providing plans and resources that communities can utilize to prepare for, prevent, and respond to disasters.

#### 4.2.3.3 How will Program Address Current & Future Risks/Mitigation Needs Assessment

The activities will address current and future risks by addressing risks identified in the mitigation needs assessment in this document, and risks identified in the state or locality's hazard mitigation plan. Priority should be placed on mitigating risk from flooding, high winds, tornados, and severe storms. Other risks can be mitigated if the need and hazard is documented.

#### 4.2.3.4 Program Tieback to Disaster/Unmet Needs

This program addresses unmet recovery and mitigation needs for planning in HUD-identified and grantee-identified MIDs. When awarded, the impact to MIDs as applicable will be described. Activities funded by the CDBG-DR mitigation set-aside do not require a disaster tie-back to the May 2022 disaster. How the project addresses disaster-related impacts, underserved communities, and localities with outdated or stale plans will also be part of the application review criteria. These mitigation and planning activities must address a risk identified in the mitigation needs assessment of this Action Plan and/or the state or locality's hazard mitigation plan. There must be a clear connection between the funded activity and the mitigation needs assessment.

#### 4.2.3.5 Program National Objective(s)

Planning activities are presumed to meet a national objective under the requirements of 24 CFR 570.208(d)(4). CDBG funds expended for planning and administrative costs under [§ 570.205](#) and [§ 570.206](#) will be considered to address the national objectives.

#### 4.2.3.6 Program Eligibility

These funds can support plan development and capacity building consistent with the HCDA Section 105(a)(12); applicable waivers identified in the Allocation Announcement Notice and Consolidated Notice (88 FR 32046); and other applicable waivers or alternative requirements.

Program applicants must be in or serve a HUD or State-identified MID area. Oklahoma has decided to expand the HUD-identified MID area in ZIP code 74447 to include the entirety of Okmulgee County. Expenditures for planning activities may be counted towards the HUD-identified MID area requirement, if the subrecipient describes in its proposal how those planning activities benefit those areas.

Pre-award expenses are not eligible for reimbursement for this program.

#### 4.2.3.7 Program Responsible Entity

UGLGs (cities, towns, and counties), tribal governments, non-profits, COGs, and state agencies can apply to ODOC to implement resilience and mitigation planning projects. Only UGLGs, state agencies, and tribal governments can assume the role of responsible entity. If nonprofits or COGs apply and are selected as a subrecipient, ODOC will retain the role of responsible entity.

Eligible applicants can work with nonprofit planning organizations. The use of CDBG certified grant administrators is encouraged.

At the time of submission to HUD, the responsible entity for each program activity is unknown. ODOC will update this section of the Action Plan through a substantial amendment to identify the use of CDBG-DR program funds by responsible entity once the information is known.<sup>40</sup>

The subrecipient and ODOC will meet the applicable environmental requirements, listed under 24 CFR Part 58, before the use or commitment of funds for each activity. After the Responsible Entity (RE) 1) completes environmental review(s) pursuant to 24 CFR Part 58 and receives from HUD (or ODOC) an approved Request for Release of Funds (RROF) and certification (as applicable), or 2) adopts another Federal agency's environmental review, approval, or permit and receives from HUD (or the state) an approved Request for Release of Funds and certification (as applicable), the grantee may draw down funds from the line of credit for an activity.

#### 4.2.3.8 Program Maximum Assistance

There is no maximum amount of assistance for planning grants. Funding is allocated for each project based on the eligibility criteria below. Each project will be evaluated related to the costs and benefits of the planning project. These benefits will consider the long-term benefits of protection against future risks.

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<sup>40</sup> 88 FR 32071

#### 4.2.3.9 Program Estimated Begin and End Dates

The program is estimated to begin in the Spring of 2024. The program will end when all funds have been expended and all eligible participants have completed closeout, or 6 years after the execution of the grant agreement with HUD.

#### 4.2.3.10 Program Competitive Application Overview (if applicable)

Application approval and associated funding allocations will be made through the evaluation of threshold criteria related to the grant application and subject to funding availability. ODOC will assess each application based on the response to the following criteria.

For applications to be eligible, the project must:

- Be an eligible activity under CDBG-DR
- Have a proposed plan that will mitigate risk or build capacity
- Be in the disaster-impacted area

ODOC will establish weighted scoring that will assess such factors as the following:

- The proposed project is in one of the HUD- or grantee-identified MIDs (priority will be given to areas in the HUD-identified MID areas) (10 points HUD MID / 5 points grantee MID)
- The proposed project is in alignment with meeting the CDBG-DR goal of helping mitigate future disaster risks (10 points)
- How the activity will 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. (10 points)
- The degree to which the proposed plan will consider and mitigate risks to members of protected classes, HUD-defined vulnerable populations, and historically underserved communities (10 points)
- The proposed plan will include a path for adopting and implementing the plan (if applicable) (10 points)
- Steps the applicant will take to increase awareness of the hazards in their communities (including for members of protected classes, vulnerable populations, and underserved communities) through outreach. (10 points)
- Coordination and alignment of these funds with other projects funded with CDBG-DR and CDBG-MIT funds, as well as other disaster recovery activities funded by FEMA, USACE, the U.S. Forest Service, and other agencies as appropriate. (5 points)
- Whether or not the project complements FEMA's Building Resilient Infrastructure and Communities (BRIC) program and/or will upgrade mapping, data, and other capabilities to better understand evolving disaster risks. (5 points)

#### 4.2.3.11 Program Method of Distribution Description/Overview (if applicable)

There will be an open application window with deadlines and a competitive review process. ODOC will receive the applications and make funding decisions based on the competitiveness and completeness of the application, justification for funding, and feasibility of the project. ODOC may coordinate with other State partners, such as the Oklahoma Water Resources Board, ODEQ, and ODEMHS, to provide technical assistance to communities in developing applications and assist in evaluating and scoring applications based on the criteria described in this plan.

## 5 Appendix

### 5.1 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), 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:
  - a. 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.).
  - b. With respect to activities expected to be assisted with CDBG–DR funds, the action plan has been developed to give the maximum feasible priority to activities that will benefit low- and moderate-income families.
  - c. 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.

- d. 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:
  - i. 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
  - ii. 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:
  - a. 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
  - b. 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.

## 5.2 Waivers (if applicable)

The Oklahoma Department of Commerce has not requested any additional waivers outside of those included in the Consolidated Notice.

## 5.3 Summary and Response of Public Comments

The following provides a summary of public comments received for the CDBG-Disaster Recovery Action Plan in response to DR-4657 and DR-4670 during the public comment period of November 9, 2023, through December 9, 2023. The State of Oklahoma received a total of 2 comments during the 30 calendar days.

Comment 1: The \$7.4 million in this grant is broken down into three areas. Will there be three subrecipients for that? Or is this grant in all three of those capacities being awarded to one subrecipient to manage?

Response 1: There will be a minimum of one subrecipient per funding area. For the housing program, ODOC is looking to have just one subrecipient to ease administration of the program. For the infrastructure and planning programs we can have multiple subrecipients.

Comment 2: There was an identified need of \$11 million. Is it common for the CDBG-DR award amount to be less than what is identified? And how do they determine the award amount if it is so far different than the need that was identified?

Response 2: HUD has a method that is described in the Allocation Announcement Notice (88 FR 32046) that describes how they determine the award amount. It is common for the award amount to be less than the grantee identified unmet need, due to funding constraints. The goal with the current allocation described in Oklahoma's DR22 Action Plan is to maximize the impact of the funds and utilize match to have the most funds available to survivors to help communities recover.

## 5.4 Data Sources/Methodologies

### **Methodology:**

The HUD methodology for categorizing damage is below. These ranges are used in the Unmet Needs Analysis.

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: \$3,500 to \$4,999 of FEMA-inspected personal property damage
- Major-High: \$5,000 to \$8,999 of FEMA-inspected personal property damage
- Severe: Greater than \$9,000 of FEMA-inspected personal property damage

#### Sources:

U.S. Department of Housing and Urban Development (HUD)  
 Federal Emergency Management Agency (FEMA)  
 U.S. Small Business Administration (SBA)  
 U.S. Department of Agriculture (USDA)  
 Muscogee (Creek) Nation Office of Emergency Management  
 Oklahoma Department of Emergency Management and Homeland Security  
 Catholic Charities of Central Oklahoma

## 5.5 Important Definitions and Terms

AMI: Area Median Income  
 CBDO: Community-Based Development Organization  
 CDBG: Community Development Block Grant  
 CDBG-DR: Community Development Block Grant- Disaster Recovery  
 CFR: Code of Federal Regulations  
 CO: Certifying Officer  
 CP: Participation  
 DOB: Duplication of Benefits  
 DRGR: Disaster Recovery and Grant Reporting System  
 FEMA: Federal Emergency Management Agency  
 HCD Act: Housing and Community Development Act of 1974, as amended  
 HMGP: Hazard Mitigation Grant Program  
 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  
 RFP: Request for Proposals  
 SBA: U.S. Small Business Administration  
 SFHA: Special Flood Hazard Area  
 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

## 5.6 Standard Form 424