State of Oklahoma

CDBG Disaster Recovery Program

(DRAFT) Action Plan

Public Law 116-20: $36,353,000 Allocation

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Submitted to the

U.S. Department of Housing and Urban Development

By The Oklahoma Department of Commerce

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CDBG DR ACTION PLAN AMENDMENT HISTORY:

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Initial Action Plan	8/31/2020		Initial Action Plan Submission to HUD
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Appendix A: Citizen Participation Comments

1. Executive Summary

On January 27, 2020, a new Community Development Block Grant Disaster Recovery (CDBG DR) allocation notice was released by the U.S. Department of Housing and Urban Development (HUD) in Federal Register Notice (Vol. 78, No. 43, Page 14329 Public Law 116-20). Under this Federal Register Notice, Oklahoma is eligible to receive an allocation of $36,353,000 in disaster recovery funds for necessary expenses for activities authorized under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et. Seq.) to address long-term recovery needs, particularly in the area of housing recovery focusing on low and moderate-income beneficiaries. Per the Federal Register Notice, the only areas in which the funding can be expended lie in Presidentially Declared Disaster areas of the state occurring during the incident period as defined under the applicable Disaster Declaration 4438. Within these eligible areas, the Federal Register Notice requires that a minimum of $29,082,000 or 80% of the total State's $36,353,000 CDBG DR funding allocation must be expended on CDBG eligible disaster related activities in Muskogee, Tulsa, and Sequoyah (74946 Area Code) counties. The remaining funding will be available for CDBG eligible disaster related activities in eligible counties as defined by Disaster Declaration 4438.

Oklahoma Severe Storms, Straight-line Winds, Tornadoes, and Flooding (DR-4438)

Incident period: May 7, 2019 to June 9, 2019

Major Disaster Declaration declared on June 1, 2019

Counties Included: Alfalfa, Canadian, Cherokee, Craig, Creek, Delaware, Garfield, Kay, Kingfisher, Le Flore, Logan, Mayes, Muskogee, Noble, Nowata, Okmulgee, Osage, Ottawa, Pawnee, Payne, Pottawatomie, Rogers, Sequoyah, Tulsa, Wagoner, Washington, Woods

The State is required to submit this CDBG DR Action Plan and obtain its approval by HUD before it can receive any portion of the CDBG DR funding. The CDBG DR Action Plan describes the programs and activities for which the State intends to expend the CDBG DR funding in compliance with the federal requirements set forth during the formal citizen participation process.

The following table illustrates the State's CDBG DR categorical funding allocations and are current to date. It should be understood that the requested funds as illustrated in the table below are based solely on preliminary COST ESTIMATES at the time of submission. The table below reflects the most current CDBG DR category funding amounts and is updated each time a non-substantial or substantial amendment is accomplished. Each numbered revision submitted to HUD for approval is meant to supersede the earlier category totals in the earlier published Action Plan.

STATE OF OKLAHOMA: CDBG DR Allocation (PL 116-20)		
Activity	**Amount**	**Allocation %**
Housing (Owner-Occupied and Multi-family Housing)	**$18,176,500.00**	50.0%
Public Facilities & Improvements	**$15,268,260.00**	42.0%
Economic Revitalization	**$0.00**	0.0%
Planning	**$1,090,590.00**	3.0%
Administration	**$1,817,650.00**	5.0%
TOTAL:	**$36,353,000.00**	**100%**

Some of the specific CDBG DR Program eligible activities that HUD has identified include the following:

- Acquisition of real property;
- Acquisition, rehabilitation and construction of public works and facilities;
- Buyouts;
- Relocation assistance;
- New construction, reconstruction and rehabilitation of residential and nonresidential properties;
- New construction, reconstruction and rehabilitation of public housing;
- Repair or rehabilitation of infrastructure;
- American Disability Act improvements;
- Homeownership counseling and assistance;
- Assistance to Community-Based Development Organizations for neighborhood revitalization, community economic development, energy conservation projects, homeownership assistance, fair housing, planning, including actions to meet the grantee's certification to affirmatively further fair housing.

Oklahoma Severe Storms, Straight-line Winds, Tornadoes, and Flooding (DR-4438)

Incident period: May 7, 2019 to June 9, 2019

Major Disaster Declaration declared on June 1, 2019

Counties Included: Alfalfa, Canadian, Cherokee, Craig, Creek, Delaware, Garfield, Kay, Kingfisher, Le Flore, Logan, Mayes, Muskogee, Noble, Nowata, Okmulgee, Osage, Ottawa, Pawnee, Payne, Pottawatomie, Rogers, Sequoyah, Tulsa, Wagoner, Washington, Woods

DR 4438 AMENDMENTS

With the severe storms being so widespread FEMA and the Oklahoma Department of Emergency Management (OEM) conducted many joint damage assessments for the incident period over the course of several weeks. The following amendments were added to the original Federal Disaster Declaration, DR-4438-OK:

- June 8, 2019, Amendment 1 added seven (7) additional counties to the disaster declaration FEMA 4438-DR-OK for Individual Assistance (IA). Osage County for IA had already been designated for Emergency Protective Measures (Category B), limited to direct federal assistance under Public Assistance (PA). *Canadian, Creek, Logan, Osage, Ottawa, Rogers and Washington*

- June 11, 2019, Amendment 2 added seven (7) additional counties to the disaster declaration FEMA 4438-DR-OK for Individual Assistance. Sequoyah County for IA had already been designated for Emergency Protective Measures (Category B), limited to direct federal assistance under PA. *Delaware, Kay, Mayes, Okmulgee, Payne, Pottawatomie, and Sequoyah*

- June 17, 2019, Amendment 3 added four (4) additional counties to the disaster declaration FEMA 4438-DR-OK for Individual Assistance. Le Flore and Noble counties for IA had already been designated for Emergency Protective Measures (Category B), limited to direct federal assistance under PA. *Cherokee, Le Flore, Noble and Nowata*

- June 17, 2019, Amendment 4 closes the Incident Period on June 9, 2019.

- June 20, 2019, Amendment 5 added six (6) additional counties to the disaster declaration FEMA 4438-DR-OK for Individual Assistance. *Alfalfa, Craig, Garfield, Kingfisher, Pawnee and Woods.*

As of June 20, 2019, twenty-seven (27) counties in the State of Oklahoma have been declared for IA. The wide geographical range of these counties is comprised of urban, sub-urban, rural and tribal areas and presents many challenges to comprehensive survivor recovery.

While the flooding and storms continued to impact the state, local Oklahoma Voluntary Organizations Active in Disaster (OKVOAD) organizations, private sector partners, and emergency management assisted the survivors with both response and recovery operations. Many of these resources have been exhausted by repeated non-federally declared disaster events. The dispersed nature of the disaster event, the exhaustion of many resources, and large number of registrants all warn of a difficult recovery without additional funding assistance.

The CDBG DR funding process begins with Congress who approves the appropriation. HUD then; calculates and announces the allocations; publishes a Notice in the Federal Register; and awards funds to the state grantees.

The CDBG DR Action Plan development follows three primary phases.

1. Planning and Assessment:
    a. Assess and evaluate impacts
    b. Primarily address unmet housing recovery needs
    c. Develop the plan and identify programs/activities using unmet needs analysis, citizen participation, and stakeholder consultation.
2. HUD Approval: Submit the CDBG DR Action Plan along with a projection of the proposed funding allocation to HUD for approval.
3. Implementation:
    a. Implement the programs as identified in the distribution of funds
    b. Continue to assess the progress of the CDBG DR Action Plan and amend the plan as needed.

The Federal Register Notice provides that funding under the CDBG DR Program must be used "for necessary expenses related to disaster relief, long-term recovery, restoration of infrastructure and housing, and economic revitalization in the most impacted and distressed areas resulting from a major disaster."

This Action Plan focuses on the State's proposed use of the CDBG DR funding, specifically the immediate unmet needs of individuals and families for housing and business assistance affected by the multiple disasters as well as assisting local governments in repairing, rebuilding infrastructure as well providing for greater resiliency statewide.

ODOC/CD has been designated the as the principal state agency for the administration of the CDBG DR funding. ODOC/CD will oversee the expenditure of the Funding to assist impacted residents, organizations and municipalities with their recovery and rebuilding efforts. ODOC/CD will administer the funding directly or through

Units of General Local Government (UGLG's) to benefit homeowners, property owners, business owners and other beneficiaries.

In accordance with the Federal Register Notice, the State is required to prepare and submit this Action Plan to describe the proposed use of the CDBG DR funding, including:

- The proposed use of the funding;
- The criteria for eligibility under any program or activity for which the funding is to be used;
- How the use of the Funding will address the long-term recovery, restoration of housing, infrastructure and economic revitalization in most impacted and stressed areas;
- The process for Citizen Participation; and
- The standards for grant administration.

The Federal Register Notice also imposes strict expenditure and compliance deadlines on the State. This Action Plan was developed after extensive public outreach, data collection, consultation and input from a host of stakeholders, constituents, organizations and other state agencies, as described in more detail in this Action Plan.

2. Disaster Impact & Response

2.1 Overview

On May 31, 2019, the Governor of Oklahoma requested a major disaster declaration due to severe storms, straight-line winds, tornadoes, and flooding during the period of May 7 to June 9, 2019. The Governor requested a declaration for Individual Assistance and assistance for debris removal and emergency protective measures (Categories A and B), including direct federal assistance, under the Public Assistance program for three counties; debris removal and emergency protective measures (Categories A and B), limited to direct federal assistance for seven counties; and Hazard Mitigation statewide. Beginning on May 16, 2019, and continuing, joint federal, state, and local government Preliminary Damage Assessments (PDAs) were conducted in the requested counties and are summarized below. PDAs estimate damages immediately after an event and are considered, along with several other factors, in determining whether a disaster is of such severity and magnitude that effective response is beyond the capabilities of the state and the affected local governments, and that Federal assistance is necessary.

On June 1, 2019, the President declared that a major disaster exists in the State of Oklahoma. This declaration made Individual Assistance requested by the Governor available to affected individuals and households in Muskogee, Tulsa, and Wagoner Counties. This declaration also made debris removal and emergency protective measures (Categories A and B), including direct federal assistance, under the Public Assistance program requested by the Governor available to state, and eligible local governments and certain private nonprofit organizations on a cost-sharing basis in Muskogee, Tulsa, and Wagoner Counties; and emergency protective measures (Category B), limited to direct federal assistance, under the Public Assistance program for Haskell, Kay, Le Flore, Noble, Osage, Pawnee, and Sequoyah Counties. Finally, this declaration also made Hazard Mitigation Grant Program assistance requested by the Governor available for hazard mitigation measures statewide.

The Preliminary Damage Assessment (PDA) process is a mechanism used to determine the impact and magnitude of damage and resulting needs of individuals, businesses, public sector, and community as a whole. Information collected is used by the State as a basis for the Governor's request for a major disaster or emergency declaration, and by the President in determining a response to the Governor's request (44 CFR § 206.33). When a Governor's request for major disaster assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended (Stafford Act) is under review, a number of primary factors are considered to determine whether assistance is warranted. These factors are outlined in FEMA's regulations (44 CFR § 206.48). The President has ultimate discretion and decision making authority to declare major disasters and emergencies under the Stafford Act (42 U.S.C. § 5170 and § 5191). The following Individual Assistance (IA) and Public Assistance (PA) data was used in conjunction with the initial Disaster Declaration request.

Individual Assistance

- Total Number of Residences Impacted: 913
- Destroyed: 335 - Total loss of structure, structure is not economically feasible to repair, or complete failure to major structural components (e.g., collapse of basement walls/foundation, walls or roof);
- Major Damage: 517 – Substantial failure to structural elements of residences (e.g., walls floors, foundation or damage that will more than 30 days to repair.
- Minor Damage: 38 – The home is damaged and uninhabitable, but may be made habitable in a short period of time.
- Affected: 23 – Some damage to the structure and contents, but still habitable.

Public Assistance

- Primary Impact: Emergency Protective Measures
- Total Public Assistance Cost Estimate: $6,517,542.00

2.2 Description of Storm Events

On May 7, 2019 additional flooding and severe weather began, creating additional damage to roads and bridges and bringing Keystone and Kaw lakes to 86 percent and 47 percent flood pool respectively. The U.S. Army Corps of Engineers declared an emergency to allow for emergency operations support including levee assessments. Rain and flooding continued for several days and USACE began releasing water from Keystone and Kaw dams.

On May 20th, tornadoes, straight-line winds, large hail, and heavy rain began early in the day and continued into the morning hours on May 21st. Severe weather and heavy rain continued for more than a week, causing evacuations in at least a dozen counties and leaving more than 1,000 homes damaged. Several neighborhoods and communities were evacuated in Kay, Logan, Muskogee, Nowata, Ottawa, Sequoyah, Tulsa, and Wagoner counties. The Arkansas River at Muskogee recorded the second largest crest on record.

The U.S. Army Corps of Engineers (USACE) released 250,000 cubic feet of water per second (CFS) from the Keystone Dam in Tulsa County, Oklahoma since May 24, 2019. Due to higher inflows, releases at the Keystone Dam increased to 275,000 CFS at 7 a.m. on May 27, 2019. The releases caused significant widespread flooding in Tulsa County as well as all counties down river.

At the time, a total of 69 wastewater systems and 20 water systems had been affected statewide. Oklahoma Natural Gas had more than 1,100 gas meters out for an extended period of time. Farmers have lost millions of dollars in crops. Statewide, USACE reports 16 lakes impacted, 44 recreation areas closed, 16 boat ramps closed, and 26 parks partially closed. In many areas, excessive vegetative debris as well as debris from the hundreds of flooded homes was required to be removed.

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An aerial damage assessment was conducted by FEMA and the State for Muskogee, Tulsa and Wagoner counties who are among the hardest hit. The assessment determined that there were 913 homes impacted

by this event. Of those homes, 23 homes were affected, 38 with minor damage, 517 with major damage and 335 homes destroyed.

In Muskogee County, voluntary evacuations occurred in Braggs. The Oklahoma National Guard performed air evacuations for the town and a temporary road was built to allow public safety vehicles access to residents who needed assistance. Supplies were sent into the town by rail car. After several days, the emergency road was opened on May 30, 2019 to allow residents to drive in and out of the town on their own. At that time, Webbers Falls was under a mandatory evacuation order and parts of Ft. Gibson were under a voluntary evacuation order. The Oklahoma Highway Patrol, Cherokee Nation, and numerous local fire departments were on scene to help with water rescues. The Oklahoma Incident Management Team has been providing support in Muskogee since Monday. An OG&E power plant in Muskogee was down due to damage to the substation facilities near the plant. OG&E had to stand up a mobile substation to maintain power to the area. Wastewater plants in Ft. Gibson and the City of Muskogee remain closed due to high water. Webbers Falls Public School complex, which includes kindergarten through 12th grade, is under water. Two barges sank on the backside of the Webbers Falls' dam.

In Tulsa County, evacuations occurred in numerous locations including Broken Arrow, Bixby, Leonard, Sand Springs, and the City of Tulsa. The National Guard closely monitored the levees and dropped HESCO containers to reinforce a threatened a levee. HESCO containers are made of a collapsible wire mesh container and heavy-duty fabric liner, and used as a temporary to semi-permanent levee filler. Three shelters were opened in Tulsa County and sandbags were made available to residents. A shelter at Crosstown Church of Christ in Tulsa sheltered 72 overnight occupants. Tulsa County also sustained damage from two tornadoes since May 20, 2019. Eighty power poles and 40 cross arms were damaged in a tornado on May 27, 2019 causing an extended power outage. In Sperry, several crude oil tanks were damaged and a gas station was flooded, releasing crude oil and gasoline into the floodwaters. There was a lot of residential flooding reported west of Sand Springs.

In Wagoner County, a voluntary evacuation order was in place for all low-lying areas near the Arkansas and Verdigris Rivers. Verdigris River levels were on the rise for days and flooding impacts were seen in communities including Oak Grove and Okay. A shelter was opened at Coweta High School providing emergency supplies temporary shelter to eight overnight occupants. Sandbags were made available for the public to pick up to protect their homes. The county built a 400-foot berm to protect the Coweta Water Treatment Plant to protect it from flooding and service disruption. A tank battery/wellhead was flooded and damaged, resulting in the discharge of an unknown amount of crude oil into the Verdigris River. The Wagoner Wastewater Plant was also partially under water.

In Sequoyah County, the Town of Moffett (Zip Code 74946) was under a mandatory evacuation order. Floodwaters from the Arkansas River completely ruined several classrooms at the local school. Additionally, Moffett suffered catastrophic residential flooding as evidenced in the following aerial photograph.

Aerial image taken over Ft. Smith, Arkansas, during the Arkansas River flood on June 1, 2019. The highway crossing the river from southeast to northwest is U.S. 64. (Satellite image ©2019 Maxar Technologies)

Overall, it is important to remember that flood control dams are designed to reduce the downstream impacts from flooding, but they do not eliminate the flood risk. Downstream flooding posed a significant problem during this disaster event. The Arkansas, Verdigris, and Neosho (Grand) watersheds were particularly affected by the record rainfall. Twelve reservoirs in the Tulsa district reached new records.

2.3 State, Local, & Tribal Response

The Oklahoma Department of Emergency Management provided 24-hour coordination of all State response and recovery activities, as required. On May 20, 2019 at 12 p.m., the State Emergency Operations Center (EOC) was activated to Level Two, with OEM personnel and key liaisons working 24-hour operations. OEM also provided WebEOC support and assistance to the local jurisdictions and provided OEM staff support in the affect areas.

The Oklahoma Department of Public Safety (DPS) provided State Troopers for initial injury assessment, security and traffic control in affected areas. DPS has worked with Oklahoma Department of Transportation (ODOT) on highway closures and provided more than 75 water rescues. All special service units were called in to supplement road troopers within the State. They canceled days off for all Oklahoma Highway Patrol troopers from May 22 to May 27 to support the incident.

The Oklahoma Department of Transportation worked with Oklahoma Highway Patrol to close dozens of highways including Interstate 40 for approximately 24 hours. They have provided personnel and equipment necessary to repair and or barricade damaged transportation routes. Major highways, roads and bridges were cleared of debris, which assisted maintenance teams' accessibility to critical infrastructure.

The Oklahoma Department of Human Services contacted all vulnerable clients in the affected areas and coordinated community and state resources to meet human service needs.

The Oklahoma Insurance Department provided the Fraud Unit to ensure the enforcement of insurance laws for disaster victims.

The Oklahoma State Department of Health (OSDH) activated their Situation Room in addition to general emergency coordination activities in the field. Health department personnel also provided welfare checks on the aging. The Medical Reserve Corps provided support in numerous communities and nurse strike teams provided tetanus shots in affected areas.

The Oklahoma Military Department assisted with levee protection in Tulsa County by dropping HESCO containers on sand boils. They provided numerous flyover missions for situational awareness for state and local officials.

The Oklahoma Corporation Commission (OCC) provided updates regarding disruption of electric service and other utilities due to the storm. Additionally, OCC provided technical assistance and support for restoration of utilities throughout the affected areas.

The Oklahoma Department of Tourism and Recreation provided emergency assistance to guests and cleared debris in numerous State parks, which were impacted by the flooding.

The Oklahoma Department of Environmental Quality (DEQ) provided technical assistance support for water and sewer operations, boil orders, and other needs. DEQ personnel also supervised cleanup of contaminated areas and conducted emergency disposal site evaluation and registration. They offered free well testing to residents.

The Oklahoma Department of Agriculture provided support to local animal shelters taking in displaced domestic animals and assisted with a large animal shelter in Muskogee. They also provided technical guidance regarding disposal of dead livestock and other animals killed as a result of the storms and flooding.

The Oklahoma Forestry Services provided personnel and heavy equipment for debris removal as required.

The Oklahoma Office of the Attorney General provided information and assistance to the public about price gouging prohibitions. The price gouging statute prohibits an increase of more than 10 percent in the price of most goods and services when a State of Emergency has been declared. Anyone who suspected price gouging was instructed to contact the Attorney General's Consumer Protection Unit.

The Oklahoma Civil Air Patrol provided aerial photographic services to document flood and other storm damage.

The Cherokee Nation and Choctaw Nation both provided equipment, personnel and technical assistance to local jurisdictions throughout this event in addition to supporting their tribal members.

The U.S. Army Corps of Engineers provided logistical and technical support and deployed liaison officers to the State EOC, Muskogee EOC, and Le Flore County EOC. They provided roughly 300,000 sandbags and operated three sandbagging machines.

The Oklahoma Housing Finance Agency provided $1,500 cash assistance for lodging, utility deposits, first and last month's rent.

2.4 Voluntary Agency Response

American Red Cross provided immediate emergency needs to disaster victims. They managed and supported shelters for those displaced by the tornadoes and other storms. The Red Cross also provided meals and other refreshments for storm victims and first responders. They delivered comfort items like toothbrushes and soap as well as clean-up materials like shovels, rakes, coolers, gloves, tarps, boxes and hand sanitizer. Additionally, the Red Cross provided case management services. Since May 20, 2020, the American Red Cross has opened 17 shelters with a total population of 884 people. The peak population was 196 people.

Church World Service and United Methodists provided approximately 4,000 flood buckets.

The Salvation Army provided immediate emergency needs to disaster victims, which included supporting the American Red Cross shelters with snacks and drinks. They provided approximately 750 hygiene kits.

Southern Baptist Disaster Relief provided mud-out teams and debris removal/chainsaw teams once residents were allowed back into their flooded properties.

Oklahoma Volunteer Organizations Active in Disasters (OKVOAD) coordinated the delivery of services and assistance through member agencies.

Oklahoma 211 provided personnel and equipment to answer calls from concerned citizens about storm related damages and assisted providers. The call centers processed thousands of requests for information and assistance. They are also took calls from residents reporting damages and reporting evacuation needs.

Community Food Bank of Eastern Oklahoma served as the distribution hub for the overall incident.

Feed the Children had four distribution sites identified with local partners in the Tulsa area.

The Regional Food Bank supported local communities with the sorting and distribution of donated food items. They provided approximately 200 pallets of water.

The Oklahoma Baptist Disaster Relief, The Salvation Army, and Operation Bar barbeque Relief setup three (3) kitchens along the Arkansas River. The kitchens were capable of providing 5,000-8,000 meals each.

The Oklahoma Department of Emergency Management provided five (5) ADA shower/toilet trailers supporting Red Cross shelter operations across Oklahoma.

3. Unmet Needs Assessment

Unmet need exists in the areas of housing, infrastructure, resiliency / mitigation and planning. Data to determine the unmet need was compiled from unmet need requests provided by an ODOC unmet needs survey conducted from February 21, 2020 to March 13, 2020. Disaster Recovery notification letters were also mailed to each of the State's eleven (11) Substate Planning Districts. Additionally, supplemental data from the Oklahoma Emergency Management and FEMA along with other members of the Oklahoma Disaster Housing Task Force was also used in to HUD disaster related data.

This catastrophic disaster highlights the availability of short-term and long-term temporary housing in the impacted communities. Below provides a glimpse of where the survivors are sheltering during their recovery process. Assisting survivors that have major damaged or destroyed residences is one of the primary focus for disaster case management given the limited resources available for housing.

Short Term:

Hotel Motel – 112

Secondary Home - 57

Family / Friends - 821

RV / Tent – 151

Long Term:

Damaged Dwelling – 2,119

New Rental Unit – 240

The Oklahoma Disaster Housing Task Force has identified a limited amount of resources to locate rental properties. Using websites such as Realtor.com and Zillow.com for updated rental properties that include size, location, school districts and availability. Resources.Hud.gov also allows users to search privately owned subsidized housing but there is no allowance to move a disaster survivor up on the list. With the lack of housing resources and the rapidly changing rental environment, survivors can be overwhelmed looking for a safe, convenient, and affordable short or long-term housing. Disaster Case Managers are key to assisting these survivors whom have limited resources themselves. Large number of survivors are choosing to stay in severely damaged home rather than relocate outside their communities.

As detailed above there is over 2,000 survivors living in damaged homes. Beyond the real property damage, high water can destroy the wiring, gas lines, furnace, and septic systems, as well as personal belongings. Adding high wind to the water can cause a house's structural components-the struts, studs, and foundation-to shift or warp. Tilting walls or shifted roof also suggest dangerous structural damage that could signal an imminent collapse. Inside the property, ceilings may sag under the weight of trapped water or soggy drywall. Wet floorboards bend and buckle, and the roof may leak or break altogether. Flooding in the basement can be especially dangerous; if the water is removed too quickly, pressure from the soaked earth outside can push inward and crack the foundation walls.

Structural hazards account for only one type of water damage. Anything that gets soaked through with water may contain sewage contaminants or provide a substrate for mold. A long-lasting flood provides more time for the mold to grow and requires more cleanup after the fact. Carpets have to be thrown away, along with personal property such as mattresses, bedding, and furniture. Survivors living in their damaged homes not only risk injury from structural damage, health concerns from breathing in mold, but also the standing water. In some communities standing water lasted over nine (9) days, a ready breeding ground for insects and other animals that in turn create additional health and safety risks.

Communities in rural Oklahoma have access to fewer local resources, lengthy travel times to find equipment and materials, and fewer private sector solutions available. Dedicated disaster case managers are able to work with and for the survivor to assist them maximize limited resources and supplies needed for successful recovery. Survivors experience exhaustion, emotional distress, and the devastating upheaval and potential ruin.

Additionally, many households impacted by this disaster have Access and Functional Needs. Over 700 cases have been self-reported through the Individual and Households Program registration. Barriers to disaster recovery for individuals with disabilities include a lack of accessible housing, transportation, and disaster services. Supports to

disaster recovery include the individual effort and advocacy of case managers connecting with needed resources, collaboration with other agencies, and client motivation and persistence. In the impacted communities, these resources are limited normally and will require additional assistance through case management processes to overcome structural and systemic barriers.

3.1 Most Impacted and Distressed Areas – HUD CDBG DR Determination

As with prior CDBG DR appropriations, HUD is not obligated to allocate funds for all major disasters occurring in the statutory timeframes. HUD is directed to use the funds "in the most impacted and distressed areas." HUD has implemented this directive by limiting CDBG DR formula allocations to grantees with major disasters that meet three standards:

1. Individual Assistance / Individual Households (IHP) designation. HUD has limited allocations to those disasters where FEMA had determined the damage was sufficient to declare the disaster as eligible to receive Individual and Households Program funding.
2. Concentrated damage. HUD has limited its estimate of serious unmet housing need to counties and zip codes with high levels of damage, collectively referred to as "most impacted areas." For this allocation, HUD is defining most impacted areas as either most impacted counties – counties exceeding $10 million in serious unmet housing needs – and most impacted Zip Codes – Zip Codes with $2 million or more of serious unmet housing needs. The calculation of serious unmet housing needs is described below.
3. Disasters meeting the most impacted threshold. Only 2018 and 2019 disasters that meet this requirement for most impacted damage are funded if one or more county or zip code meets the thresholds above. Note that this allocation only includes disasters declared as of October 4, 2019. Other 2019 disasters will be addressed in a future notice.

For disasters that meet the most impacted threshold described above, the unmet need allocations are based on the following factors summed together:

1. Repair estimates for seriously damaged owner-occupied units without insurance (with some exceptions) in most impacted areas after FEMA and SBA repair grants or loans; an estimate for homeowners served by FEMA's Permanent Housing Construction program is also deducted from the homeowner unmet need estimate;
2. Repair estimates for seriously damaged rental units occupied by very low-income renters in most impacted areas;

3. Repair and content loss estimates for small businesses with serious damage denied by SBA; and
4. The estimated local cost share for Public Assistance Category C to G projects.

Methods for estimating serious unmet needs for housing

The data HUD uses to calculate unmet needs for 2018 qualifying disasters come from the FEMA Individual Assistance program data on housing-unit damage as of July 17, 2019. The data for 2019 qualifying disasters are as of November 13, 2019.

The core data on housing damage for both the unmet housing needs calculation and the concentrated damage are based on home inspection data for FEMA's Individual Assistance program and SBA's disaster loan program. HUD calculates "unmet housing needs" as the number of housing units with unmet needs times the estimated cost to repair those units less repair funds already provided by FEMA and SBA.

Each of the FEMA inspected owner units are categorized by HUD into one of five categories:

A. Minor-Low: Less than $3,000 of FEMA inspected real property damage.
B. Minor-High: $3,000 to $7,999 of FEMA inspected real property damage
C. Major-Low: $8,000 to $14,999 of FEMA inspected real property damage and/or 1 to 3.9 feet of flooding on the first floor;
D. Major-High: $15,000 to $28,800 of FEMA inspected real property damage and/or 4 to 5.9 feet of flooding on the first floor.
E. Severe: Greater than $28,800 of FEMA inspected real property damage or determined destroyed and/or more feet of flooding on the first floor.

When owner-occupied properties also have a personal property inspection or only have a personal property inspection HUD reviews the personal property damage amounts such that if the personal property damage places the home into a higher need category over the real property assessment, the personal property amount is used as follows:

A. Minor-Low: Less than $2,500 of FEMA inspected personal property damage
B. Minor-High: $2,500 to $3,499 of FEMA inspected personal property damage
C. Major-Low: $3,500 to $4,999 of FEMA inspected personal property damage or 1 to 3.9 feet of flooding on the first floor.

D. Major-High: $5,000 to $9,000 of FEMA inspected personal property damage or 4 to 5.9 feet of flooding on the first floor.
E. Severe: Greater than $9,000 of FEMA inspected personal property damage or determined destroyed and/or 6 or more feet of flooding on the first floor.

To meet the statutory requirement of "most impacted" in this legislative language, homes are determined to have a high level of damage if they have damage of "major-low" or higher. That is, they have a FEMA inspected real property damage of $8,000 or above, personal property damage $3,500 or above, or flooding 1 foot or above on the first floor.

Furthermore, a homeowner with flooding outside the 1% risk flood hazard area is determined to have unmet needs if they reported damage and no flood insurance to cover that damage. For homeowners inside the 1% risk flood hazard area, homeowners without flood insurance with flood damage below the greater of national median or 120% of Area Median Income are determined to have unmet needs. For non-flood damage, homeowners without hazard insurance with incomes below the greater of national median or 120% of Area Median Income are included as having unmet needs.

FEMA does not inspect rental units for real property damage so personal property damage is used as a proxy for unit damage. Each of the FEMA-inspected renter units are categorized by HUD into one of five categories:

A. Minor-Low: Less than $1,000 of FEMA inspected personal property damage
B. Minor-High: $1,000 to $1,999 of FEMA inspected personal property damage
C. Major-Low: $2,000 to $3,499 of FEMA inspected personal property damage or 1 to 3.9 feet of flooding on the first floor.
D. Major-High: $3,500 to $7,500 of FEMA inspected personal property damage or 4 to 5.9 feet of flooding on the first floor.
E. Severe: Greater than $7,500 of FEMA inspected personal property damage or determined destroyed and/or 6 or more feet of flooding on the first floor.

To meet the statutory requirement of "most impacted" for rental properties, homes are determined to have a high level of damage if they have damage of "major-low" or higher. That is, they have a FEMA personal property damage assessment of $2,000 or greater or flooding 1 foot or above on the first floor.

Furthermore, landlords are presumed to have adequate insurance coverage unless the unit is occupied by a renter with income less than the greater of the Federal poverty level or 50% of median income. Units occupied by a

tenant with income less than the greater of the poverty level or 50% of median income are used to calculate likely unmet needs for affordable rental housing.

The average cost to fully repair a home for a specific disaster to code within each of the damage categories noted above is calculated using the median real property damage repair costs determined by the SBA for its disaster loan program for the subset of homes inspected by both SBA and FEMA for each eligible disaster.

Minimum multipliers are not less than the 1st quarter median for all Individual Assistance (IA) eligible disasters combined in each disaster year at the time of the allocation calculation, and maximum multipliers are not more than the 4th quarter median for all IA eligible disasters combined in each disaster year with data available as of the allocation. Because SBA is inspecting for full repair costs, their estimate is presumed to reflect the full cost to repair the home, which is generally more than the FEMA estimates on the cost to make the home habitable. If there is a match of fewer than twenty (20) SBA inspections to FEMA inspections for any damage category, the minimum multiplier is used.

For each household determined to have unmet housing needs (as described above), their estimated average unmet housing need is equal to the average cost to fully repair a home to code less assistance from FEMA and SBA provided for repair to the home, based on their damage category (noted above).

Methods for estimating serious unmet economic revitalization needs

Based on SBA disaster loans to businesses using data for 2018 disasters from as of date July 17, 2019 and for 2019 disasters from as of data November 14, 2019, HUD calculates the median real estate and content loss by the following damage categories for each state:

A. Category 1: real estate + content loss = below $12,000
B. Category 2: real estate + content loss = $12,000–$29,999
C. Category 3: real estate + content loss = $30,000–$64,999
D. Category 4: real estate + content loss = $65,000–$149,999
E. Category 5: real estate + content loss = $150,000 and above

For properties with real estate and content loss of $30,000 or more, HUD calculates the estimated amount of unmet needs for small businesses by multiplying the median damage estimates for the categories above by the number of small businesses denied an SBA loan, including those denied a loan prior to inspection due to

inadequate credit or income (or a decision had not been made), under the assumption that damage among those denied at pre-inspection have the same distribution of damage as those denied after inspection.

Methods for estimating unmet infrastructure needs

To calculate 2018 and 2019 unmet needs for infrastructure projects, HUD obtained FEMA cost estimates (as of July 17, 2019 for the 2018 disasters and November 13, 2019 for 2019 disasters) of the expected local cost share to repair the permanent public infrastructure (Categories C to G) to their pre-storm condition.

Allocation Calculation

Once eligible entities are identified using the above criteria, the allocation to individual grantees represents their proportional share of the estimated unmet needs. For the formula allocation, HUD calculates total unmet recovery needs for eligible 2018 and 2019 disasters as the aggregate of:

A. Serious unmet housing needs in most impacted counties;
B. Serious unmet business needs; and
C. Unmet infrastructure need.

HOUSING: Oklahoma - DR 4438: Severe Storms/Straight-Line Winds/Tornadoes/Flooding

Serious Unmet Housing Need Estimate Most Impacted Area	Total Any Damage	Total Serious Damage	Owner Serious Unmet	Renter Serious Unmet	Total Serious Unmet	County Most Impacted Areas	Zip Code Most Impacted Areas	Total Most Impacted Areas
$ 24,206,420.00	1,086	689	391	88	479	2	1	3

Most Impated Area	Serious Unmet Housing Need Estimate Most Impacted Area	Total Any Damage	Total Serious Damage	Owner Serious Unmet	Renter Serious Unmet	Total Serious Unmet
Muskogee County	$ 10,810,829.00	341	261	160	40	200
Tulsa County	$ 10,569,537.00	679	362	204	24	228

Sequoyah County Zip Code: 74946	$ 2,826,054.00	66	66	27	24	51

Serious Unmet Need Housing Multipliers for 2019 Disasters – Estimated average cost to repair for uninsured properties after subtracting out average per unit amount estimated to be covered by SBA and FEMA assistance.

A. Major – Low: $31,492.00
B. Major – High: $49,592.00
C. Severe: $69,101.00

3.2 Social Vulnerability Index – Socioeconomic Unmet Need

An additional component to consider when looking at unmet needs for impacted counties in Oklahoma is what level of social vulnerability to natural hazards are they experiencing. The Social Vulnerability Index (SoVI®) measures the social vulnerability of counties across the United States to their vulnerability to environmental hazards. This index, developed by the University of South Carolina's Hazards & Vulnerability Research Institute, utilizes twenty-nine (29) socioeconomic variables which contribute to reduction in a community's ability to prepare for, respond to, and recover from hazards. SoVI is a comparative metric that facilitates the examination of the differences in vulnerability among counties. It is a valuable tool because it graphically illustrates the geographic variation in social vulnerability, which in turn contributes greatly to response and recovery capabilities. SoVI shows where there is uneven capacity for disaster preparedness and response, and where resources might be used most effectively to reduce preexisting vulnerability. The data sources for the development of SoVI come primarily from the United States Census Bureau. The SoVI data combines the best available data from both the 2010 U.S. Decennial Census and five-year estimates from the American Community Survey (ACS). Additionally, the SoVI scores at the Census Tract level provides a more granular assessment of vulnerability within each county.

The SoVI details above are further explained by some of the characteristics at the individual level that affect vulnerability. One of these characteristics is that of Socioeconomic Status which affects the ability of a community to absorb losses and be resilient to hazard impacts. This is due to the idea that wealth enables communities to absorb and recover from losses using insurance, social safety nets, and entitlement programs. Other factors used in SoVI relate to gender as well as race and ethnicity being that these factors impose language and cultural barriers and affect access to post-disaster funding. Additional factors used in SoVI are special-needs populations, social dependence (i.e. people who are totally dependent on social services for survival), education, family structure,

occupation, and other demographic characteristics that help to define social vulnerability for communities and individuals. The following table illustrates the twenty-nine (29) used in the calculation of the Social Vulnerability index.

VARIABLE	DESCRIPTION
QASIAN	Percent Asian
QBLACK	Percent Black
QSPANISH	Percent Hispanic
QINDIAN	Percent Native American
QAGEDEP	Percent Population under 5 years or 65 and over
QFAM	Percent Children Living in Married Couple Families
MEDAGE	Median Age
QSSBEN	Percent Households Receiving Social Security Benefits
QPOVTY	Percent Poverty
QRICH	Percent Households Earning over $200,000 annually
PERCAP	Per Capita Income
QESL	Percent Speaking English as a Second Language with Limited English Proficiency
QFEMALE	Percent Female
QFHH	Percent Female Headed Households
QNRRES	Nursing Home Residents Per Capita
HOSPTPC	Hospitals Per Capita (County Level ONLY)
QNOHLTH	Percent of population without health insurance (County Level ONLY)
QED12LES	Percent with Less than 12th Grade Education
QCVLUN	Percent Civilian Unemployment
PPUNIT	People per Unit
QRENTER	Percent Renters
MDHSEVAL	Median Housing Value
MDGRENT	Median Gross Rent
QMOHO	Percent Mobile Homes
QEXTRCT	Percent Employment in Extractive Industries
QSERV	Percent Employment in Service Industry
QFEMLBR	Percent Female Participation in Labor Force

QNOAUTO	Percent of Housing Units with No Car
QUNOCCHU	Percent Unoccupied Housing Units

What Population Characteristics Affect Vulnerability?

- Socioeconomic Status (Income, Political Power, Prestige): Socioeconomic status affects the ability of a community to absorb losses and cope with hazard impacts. Wealth enables communities to better prepare for disasters through mitigation and absorb and recover from losses more quickly using insurance, social safety nets, and entitlement programs. Low status communities have little ability to absorb losses due to poverty and disadvantaged populations.
- Gender: Women often have a more difficult time during recovery than men because of sector-specific employment (e.g., personal services), lower wages, and family care responsibilities.
- Race and ethnicity: These factors impose language and cultural barriers and affect access to post-disaster funding and occupation of high-hazard areas.
- Age: Extremes of age affect movement out of harm's way and require outside supervision and care. Parents lose time and money caring for children when day care facilities are affected; the elderly may have mobility constraints or medical and cognitive concerns increasing the burden of care before, during, and after the emergency.
- Employment loss: The potential loss of employment following a disaster increases the existing number of unemployed workers in a community. Such losses compound the impact of the hazard and leads to a slower recovery from the disaster. At an individual level, employment loss equates to a lower ability to pay for necessary goods and services, effectively lowering the ability to prepare and recovery from disasters.
- Residential property: Home value is an indicator of financial capacity. The value and quality of residential construction affect potential losses and recovery. Expensive homes are costly to replace, mobile homes are easily destroyed by water and winds. The viability of neighborhoods based on the number of unoccupied housing units also contributes to slower long-term recovery.
- Renters: People rent because they are transients, do not have the financial resources for home ownership, or do not want the responsibility of home ownership. They often lack access to information about financial aid during recovery and are not covered by current federal disaster recovery programs. In extreme cases, renters lack sufficient shelter options when lodging becomes uninhabitable or too costly to afford.
- Occupation: Some occupations, especially those characterized as primary extractive industries, may be severely affected by a hazard event. Primary sector jobs are impacted first during major disasters. For

example, self-employed fishermen suffer when their means of production is lost (boats), and they may not have the requisite capital to resume work in a timely fashion; therefore, they may seek alternative employment. The same is true of migrant workers engaged in agriculture. Low-skilled service jobs (housekeeping, child care, and gardening) may suffer similarly as disposable income fades and the need for services declines.

- Family structure: Families with large numbers of dependents and/or single-parent households often have limited resources to outsource care for dependents and thus must juggle work responsibilities with care for family members. All these factors affect coping with and recovering from hazards.
- Education: Education is linked to socioeconomic status in that higher educational attainment affects lifetime earnings, and limited education constrains the ability to understand warning information and access recovery information.
- Medical Services and Access: Health care providers, including physicians and hospitals, are important post-event sources of relief. The lack of proximate medical services lengthens the time needed to obtain short-term relief and achieve longer-term recovery from disasters. Nursing homes represent an increase in socially vulnerable people as the resident populations are less able to independently cope with disasters. The availability of health insurance is another factor influencing social vulnerability.
- Social dependence: People who are totally dependent on social services (social security, food assistance) for survival are already economically and socially marginalized and require additional support in the post-disaster period.
- Special-needs population: Special needs populations (infirm, institutionalized, transient, homeless) are difficult to identify, let alone measure and monitor. Yet it is this segment of society that invariably is left out of recovery efforts, largely because of this invisibility in communities.

Effectively addressing social vulnerability decreases both human suffering and the economic loss related to providing social services and public assistance after a disaster. While a stand-alone component when compared to total unmet need and other factors like per capita unmet need, the SoVI contributes to the ultimate funding decision process by adding a layer that looks at the components involved closely with an individual's or community's effort to recover from a disaster event.

SoVI is classified using standard deviations. Social vulnerability scores that are greater than 1.5 standard deviations above the mean are considered the most socially vulnerable places, while scores below 1.5 standard deviations less than the mean are the least vulnerable places.

SoVI Categorical ratings range from: High (Top 20%), Medium High, Medium, Medium Low, and Low (Bottom 20%). The following counties were specifically identified under DR 4438.

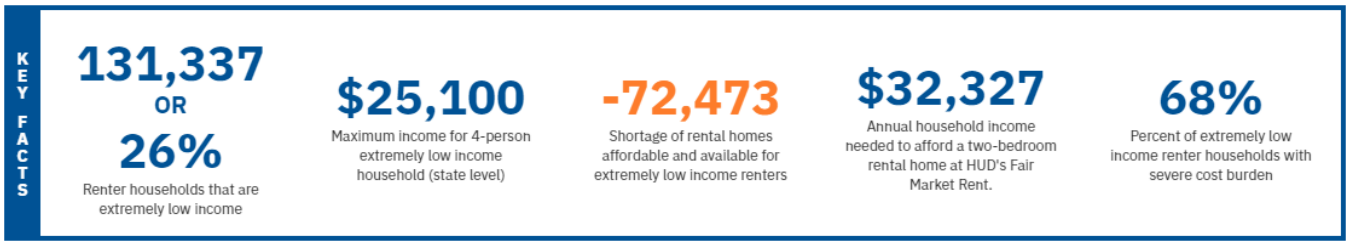
Alfalfa (LOW), Canadian (LOW), Cherokee (MEDIUM HIGH), Craig (MEDIUM HIGH), Creek (MEDIUM LOW), Delaware (MEDIUM HIGH), Garfield (MEDIUM), Kay (MEDIUM HIGH), Kingfisher (MEDIUM LOW), Le Flore (MEDIUM), Logan (LOW), Mayes (MEDIUM), Muskogee (MEDIUM HIGH), Noble (MEDIUM LOW), Nowata (MEDIUM), Okmulgee (MEDIUM), Osage (MEDIUM), Ottawa (MEDIUM HIGH), Pawnee (MEDIUM), Payne (MEDIUM LOW), Pottawatomie (MEDIUM), Rogers (MEDIUM LOW), Sequoyah (MEDIUM HIGH), Tulsa (MEDIUM), Wagoner (MEDIUM LOW), Washington (MEDIUM), Woods (MEDIUM LOW)

It can be seen that the HUD identified most impacted and distressed counties of Muskogee, Tulsa, and Sequoyah do share a moderate to moderately high social vulnerability (SoVI) relationship. Eighty-eight percent of these counties rate at the “Medium” or higher category rating suggesting there is a strong social vulnerability correlation present.

The connection between physical hazards and populations that may have factors that reduce their ability to plan in advance, cope during an event and recover after an event is directly related with housing. It is important to plan for housing in locations away from repeated risk factors such as flooding and provide assistance during natural events like tornadoes. Assistance that may be needed includes transportation during an event to a shelter or safe place. Public shelters are often needed for those in apartments, mobile homes, or housing without private shelters. The elderly may have general mobility or cognitive issues that can mean additional assistance is needed for transportation or even design of facilities. Those that may be unemployed or underemployed, renters, minorities, persons in poverty and many other factors may lead to great need for temporary housing if their housing or employment has been destroyed in an event. Many of these socially vulnerable people may not have insurance or family or other resources to assist them if they experience losses from an event. This analysis helps to raise awareness that while hazards exist for all the population within a county, some may need additional attention and focus to insure their safety, health and recovery.

3.3 Housing Needs Assessment

Across Oklahoma, there is a shortage of rental homes affordable and available to extremely low-income households, whose incomes are at or below the poverty guideline or 30% of their area median income (AMI). Many of these households are severely cost burdened, spending more than half of their income on housing. Severely cost burdened poor households are more likely than other renters to sacrifice other necessities like healthy food and healthcare to pay the rent, and to experience unstable housing situations like evictions.



Owner-Occupied Unmet Need

Unmet Housing needs comprised a relatively small number disaster eligible unmet needs requests in terms of the overall identified disaster eligible counties. Over 6ft of flooding, which stagnated for nine (9) days in some properties was the major source of damage. A majority of survivor needs were comprised of basic resources such as clothing, appliances, furniture, muck-out, roof tarping, debris removal, sanitization and help with long-term repairs or re-building. At this time, present data shows Muskogee County as the hardest impacted in terms of disaster related housing damage.

In contrast, Muskogee County Owner Occupied Housing (reconstruction) resulting from destruction ranked number one in housing unmet need and infrastructure in support of housing unmet need in terms of housing related monetary requests resulting from the flood related disaster. The county was able to validate at least 365 impacted residential structures throughout the county. This is an ongoing effort, and as of March 6, 2020, the Muskogee County Assessor, and chair of the Muskogee County Long-Term Recovery Committee, estimates the total cost to repair or replace damaged residential and commercial structures countywide is $43,478,1471. A breakdown of structures by type, degree of damage, and the estimated cost of repair or replacement, is included in the table, below. The estimate also accounts for the repair of the public housing units severely damaged in Webbers Falls. The estimate of cost to repair or rebuild is based on the inspections by the Muskogee County Assessor's Office after the flood. If water invasion level was below the outlets, damage was considered minor to

moderate. If the water was above the electrical outlets, damage was considered moderate to major. The repair and replacement cost are based on style and construction type of each house.

Structure Type	Degree of Damage	Structure Count	Estimate of Repair or Replacement Cost
Single-Family Residential	Moderate to Major	178	$ 28,353,772
Single Family Residential	Minor to Moderate	8	$ 823,780
Multi-Family Residential	Moderate to Major	48	$ 3,301,710
Multi-Family Residential	Minor to Moderate	103	$ 6,388,200
Commercial Structures	Moderate to Major	25	$ 4,262,553
Commercial Structures	Minor to Moderate	3	$ 348,132
Total		365	$ 43,478,147

Data from other states' storm experiences suggests the level of owner occupied housing rehabilitation need:

- Increases in cost as supplemental damage is incurred post disaster;
- Increases in cost as local and state building codes are reset;
- Is undercounted initially due to evacuation, program misunderstanding by potential applicants, undocumented families' reluctance to request benefits; and voluntary household relocation

Multifamily Unmet Need

A final estimate for Multi-Family Rental Housing Rehabilitation (Eligible Rehabilitation and Preservation Activities 24 CFR 570.202 LMH/LMI) has not been firmly established. Public outreach has not indicated this an unmet need at this time. The State is addressing the unmet need in Public Housing in the proposed housing allocation. Although not fully identified at this time, ODOC/CD will be closely evaluating all submitted CDBG DR applications. Should eligible multi-family related projects with unmet needs be realized, appropriate funding will be provided.

Homelessness, Transitional and Supportive Facilities, Units and Populations

To date, ODOC/CD has not received information identifying a having an unmet need for physical or structural Homeless, transitional and supportive facility repairs as a direct result of the FEMA DR 4438 identified disaster. No entity or Unit of General Local Government has identified a need for financial assistance to address an increase in homeless individuals or families or physical damage to homeless or transitional housing facilities for any of the events covered by the Federal Register Notice.

As the State continues to work on recovery efforts, and continues planning activities for future disasters, it will continue to reach out to public housing authorities, owners/operators of HUD-assisted housing, homeless service and shelter providers, as well as the owners and managers of both transitional and permanent housing for the homeless in order address any newly identified unmet needs that may arise.

Should information relative to unmet need associated with alleviating the pressures of homelessness associated with the devastation caused by the storm become apparent, the State is committed to allocating any necessary resources from the next allocation of funding, consistent with all federal requirements and obligations. (The State of Oklahoma receives Emergency Shelter Grant Funding and Special Needs Grant funding to support homeless and transitional housing needs statewide.

3.4 Public Facilities & Public Improvements Needs Assessment

Based on data compiled from the Oklahoma Emergency Management, State's needs assessment survey, public outreach and FEMA reports, it is clear that unmet infrastructure needs rank very high due to sustained significant damage to infrastructure as a result of the FEMA DR 4438 disaster. It should be noted that infrastructure stands as the single largest category in terms of unmet needs among all eligible CDBG DR categories.

The primary method by which unmet needs were assessed for infrastructure impacts from the disaster are through the OEM and FEMA PA data. PA funds a portion of recovery work to public infrastructure, such as bridges, roads, and public buildings. PA applicants may be the State, a local municipality, or other entity. FEMA processes PA grant funding according to the type of work the applicant plans to undertake. Work must be required as a result of the declared disaster DR 4438, be located in the designated area, be the legal responsibility of the applicant, and be undertaken at a reasonable cost.

Eligible work is classified into the following categories:

- Emergency Work:
    - Category A: Debris removal
    - Category B: Emergency protective measures
- Permanent Work:
    - Category C: Roads and Bridges
    - Category D: Water control facilities
    - Category E: Public Buildings and contents
    - Category F: Public Utilities

- Category G: Parks, recreational, and other facilities

The State suffered significant impacts which resulted in category A and B projects. However, due to the nature of such projects, funding already provided and the time elapsed since the disaster, these no longer stand as an overlying priority. In total, 393 unique projects were identified across all impacted counties. The total approximate cost of the debris removal and emergency protective measures is $12,231,671.12 across all DR 4438 eligible counties. The cost of FEMA PA projects is split between federal and non-federal share, with the federal share contributing 75 percent of the cost and the non-federal share contributing 25 percent of the cost.

For the purpose of assessing ongoing, long-term recovery needs, FEMA PA categories C – G are used as the foundation of the analysis. FEMA PA projects include a non-federal cost share or a percentage of total costs which must be paid by the applicant in order to fully fund the necessary work. For Categories C – G, the non-federal cost share is 25 percent. A total of $116,559,253.33 in PA projects in categories C – G had been identified and submitted to FEMA for DR 4438. This includes an approximate federal share of $87,419,540.81 and a non-federal share of $29,139,712.52. The following data was collected on PA applicants for DR 4438 for FEMA PA categories C – G, the anticipated total costs of those projects, and the total amount of federal and non-federal share. It is important to note that FEMA's priority is to restore damage structures to service, while CDBG DR funds work to develop a long-term recovery need, including implementing resiliency measures where appropriate to safeguard against future losses.

Category	Category Type	Estimated Total Cost	Federal Share	Estimated Unmet Need
A	Debris Removal	$ 3,913,979.28	$ 2,935,484.60	$ 978,494.68
B	Emergency Protective Measures	$ 8,317,691.84	$ 6,244,762.71	$ 2,072,929.13
C	Roads and Bridges	$ 44,761,872.15	$ 33,571,504.25	$ 11,190,367.90
D	Water Control Facilities	$ 11,160,176.05	$ 8,370,132.24	$ 2,790,043.81
E	Buildings & Contents	$ 6,076,823.29	$ 4,557,617.58	$ 1,519,205.71
F	Public Utilities	$ 24,943,175.94	$ 18,707,382.21	$ 6,235,793.73
G	Parks, Recreational and Other Facilities	$ 29,617,205.90	$ 22,212,904.53	$ 7,404,301.37
Total		**$ 128,790,924.45**	**$ 96,599,788.12**	**$ 32,191,136.33**

Infrastructure projects represent a wide range of unmet need encompassing numerous types of infrastructure repair, including, for example, repairing or replacing roads and bridges damaged during the multiple disasters and in their subsequent clean-up.

Infrastructure activities will include the construction or reconstruction of drainage systems. The State's needs assessment indicates a large unmet need for infrastructure repairs related to damaged drainage systems. Road repairs can be noted as following as a close second in terms of unmet infrastructure needs. Anticipated uses of infrastructure funds are expected to include a focus on road and drainage improvements.

Unmet Public Facilities needs comprised a small percentage of the overall disaster unmet needs requests. The State has identified several public building projects as directly ineligible CDBG DR funding. This even further reduced the overall actual number of requests. These ineligible projects related to miscellaneous public building maintenance / repairs that could not be directly attributed to storm damage. Overall, public facilities projects represent a very small portion of the overall demonstrated unmet need.

The calculation of unmet needs in infrastructure and public facilities related activities is not intended to be final as much of the necessary current data is not yet available. The most current and true scope of remaining unmet need will result from the review of the submitted CDBG DR applications. The State will continue to collect and analyze data in connection with the funding under the CDBG DR Program. Should specific CDBG DR categorical funding allocations need to be revised to meet any newly defined unmet needs, ODOC/CD has a defined CDBG DR amendment process in place to accomplish these necessary revisions, which is fully addressed within this CDBG DR Action Plan.

3.5 Economic Revitalization Needs Assessment

Limited CDBG DR eligible Economic Revitalization related unmet needs survey responses were received. The multiple disasters impacted the State's economy by temporarily or permanently specific economic activity, including, for example, cancelled tourist visits, forgone business revenue due to shuttered offices, and wages not paid to workers who could not work during the storm and in its aftermath. In addition, the physical damage to residential housing, commercial buildings, public facilities, infrastructure and business equipment and inventory required new unplanned expenditures that diverted funds that could otherwise be reasonably expected to have been directed towards savings and investment. This could be viewed as a reduction in the State's wealth and stock of productive resources.

Separately, damages to public infrastructure such as roads, drainage as well as compromised water and electrical utility systems have caused significant interruption on the State's economy and have had a corresponding negative impact on businesses trying to recover after the storm. As indicated earlier, many these activities are being addressed under the infrastructure category funding.

The calculation of unmet needs in the economic revitalization is not intended to be final as much of the necessary current data is not yet available. The most current and true scope of remaining unmet need will result from the review of the submitted CDBG DR applications. The State will continue to collect and analyze data in connection with the funding under the CDBG DR Program. Should specific CDBG DR categorical funding allocations need to be revised to meet any newly defined unmet needs, ODOC/CD has a defined CDBG DR amendment process in place to accomplish these necessary revisions, which is fully addressed within this CDBG DR Action Plan.

3.6 Planning: Needs Assessment

Based on the State's needs assessment and public outreach, demand exists for resiliency / mitigation investments, which could be specifically addressed via CDBG DR Planning activities.

The disaster resiliency assessment conducted by the Oklahoma Housing Finance Agency (OHFA) as part of the Oklahoma Housing Needs Assessment found several notable recommendations as they relate to disaster resiliency that could be satisfied via CDBG DR Planning related activities. Notably, recommendation number #1 and number #4 show particular merit in relation to tieback with this disaster event.

1. All jurisdictions should either continue to update and maintain, or create, Hazard Mitigation Plans.
2. Particular attention should be paid to areas within the jurisdiction that, in addition to physical vulnerability, have compounding social vulnerability factors.
3. Efforts to strengthen building codes related to tornadoes and other natural disasters should be considered.
4. Continue to support regulations that prevent development in the floodplain and removing structures in the floodplain that experience repeated damages from floods.

5. Planning for shelters from disaster events for multifamily housing units (particularly including affordable housing), in addition to all housing in the community should be incorporated with any effort to increase housing.

As noted in the disaster resiliency assessment, there is an intimate relationship between droughts and flooding in Oklahoma. Soil that becomes parched from long-standing drought can act like impervious concrete when rains come. The penetration and saturation of the soil may take time resulting in flash floods before the soil can help to slow the flow of the water. Beyond issues of run-off from flash floods across parched land, we also have construction within the floodway or floodplain. Floodplain management is an important planning step in preventing risks to businesses and residences. Provisions within local codes should work to encourage open space near streams and rivers to allow for a healthy riparian area that can handle floodwaters and put fewer people at risk during storm events. Many counties and cities have learned from repeated floods that purchasing land and moving buildings (development) out of flood-prone areas is both for the health and safety as well as good economics for the community. Regulating buildings from being built in the floodplain from the beginning is essential as many communities find it difficult to purchase land or relocate individuals from land that experiences repetitive losses due to flooding.

Also of particular relevance, Hazard Mitigation Plans (HMPs) at either the county or city level seek to document past events, past damages, and address proactive measures to improve the community's response to an event and efforts to have a more resilient community. Part of addressing hazards and risks in an area is understanding and planning in advance as best as possible to be prepared to minimize damage and loss of life. Often one of the tools for communities to fully understand their risks and how they plan to address them when they occur is to prepare a Hazard Mitigation Plan or HMP. Those communities that lack an HMP, have an outdated plan, or expired plan should consider the benefits of having both an HMP and Emergency Operation Plan (EOP) given natural events are a part of living in Oklahoma but how we respond and plan for these events can help minimize loss of life and property. Funding for working on HMPs can come from FEMA on an annual cycle basis. In many cases, counties and communities are eager to create or update their HMPs however lack funding for technical expertise in preparing the plan. Additionally, coordination with FEMA also can be a perceived or real barrier to final adoption of a HMP. Despite this, there are general principles that are covered in an HMP that are relevant for communities to employ related to creating safe, appropriate, and sustainable housing in the state.

The State will continue to collect and analyze data in connection with funding under the CDBG DR Program. Should specific CDBG DR categorical funding allocations need to be revised to meet any newly defined unmet

needs, ODOC/CD has a defined CDBG DR amendment process in place to accomplish these necessary revisions, which is fully addressed within this CDBG DR Action Plan.

The primary focus of CDBG DR funds is to address the unmet housing recovery need. However, CDBG DR funds may be used to fund public services which complement the housing need. Public services include activities which provide a benefit to employment, health, drug abuse, education, fair housing counseling, energy conservation, and certain welfare activities. The Housing and Community Development Act of 1974, as amended (HCDA) permits the use of CDBG funds for the purpose of public services under HCDA 105(a)(8). In accordance with HCDA 105(a)(8), no more than 15 percent of the allocation will be directed to the provision of public service.

3.7 Public Services: Needs Assessment

Based on current unmet need assessment priorities combined with the current post disaster time lapse, public services are not a CDBG DR priority at this time. As identified earlier, the initial disaster response from federal, state, non-profit and volunteer organizations have firmly addressed these issues at that this time and it is not identified as a priority need at this time. Should sufficient eligible requests arise later in the CDBG DR Program or be identified through the CDBG DR application process, ODOC/CD will consider amending the CDBG DR Action Plan as appropriate provided adequate funding is available.

3.8 Resiliency: Needs Assessment

Resiliency is considered a key component under the State's CDBG DR Action Plan. As noted, resiliency is not seen as a single independent CDBG DR activity but rather a sub-component of the eligible CDBG DR activities. Building back better and creating resilient housing and infrastructure is important part of any eligible CDBG DR activity. Resiliency / mitigation can represent a wide range of unmet need encompassing numerous types of activities. For example, resiliency / mitigation activities can include the clearance / demolition of houses in identified floodplain areas. The State's needs assessment also indicates an unmet need for repairs related to damaged drainage systems for which resiliency / measures will also play a significant role. As applicable, resiliency is to be considered in conjunction with all CDBG DR activities.

As addressed earlier, the disaster resiliency assessment conducted by the Oklahoma Housing Finance Agency (OHFA) as part of the Oklahoma Housing Needs Assessment found several notable recommendations as they relate to disaster resiliency.

1. All jurisdictions should either continue to update and maintain, or create, Hazard Mitigation Plans.
2. Particular attention should be paid to areas within the jurisdiction that, in addition to physical vulnerability, have compounding social vulnerability factors.
3. Efforts to strengthen building codes related to tornadoes and other natural disasters should be considered.
4. Continue to support regulations that prevent development in the floodplain and removing structures in the floodplain that experience repeated damages from floods.
5. Planning for shelters from disaster events for multifamily housing units (particularly including affordable housing), in addition to all housing in the community should be incorporated with any effort to increase housing.

When addressing the intersection between housing needs and disaster resiliency the major areas of overlap is planning by location (proximity to risk, likelihood of threat and impact) and methods to avoid and/or recover after an event. Of the typical hazards addressed within an HMP, the threats that are most connected to housing include:

- Earthquake
- Flood
- Hailstorm, High winds, Winter Storm, Extreme Heat
- Wildfire
- Tornado

4. Allocation Methodology

The funding allocation is based several limiting factors and considerations. Some of these factors include Federal Register Notice CDBG DR guidelines, damage analysis, surveys, and Census data.

Consistent with the Federal Register Notice, the primary purpose of the CDBG DR funds is to address the immediate unmet needs of the most impacted and distressed counties. The State's allocation of the CDBG DR funding is guided by several critical federal requirements set forth in the Federal Register Notice. All of the programs to be administered in the activity categories identified in the allocation table, with the exception of Administration and Planning, will achieve one or more of the program objectives:

1. CDBG DR applications will be scored competitively against one another.

2. The Federal Register Notice requires that funding consideration for eligible CDBG DR housing related activities be prioritized over all other eligible CDBG DR activities.

3. The Federal Register Notice requires that a minimum of $29,082,000 or 80% of the total State's $36,353,000 CDBG DR funding must be expended in Muskogee, Tulsa, and Sequoyah (74946 Area Code) counties. The remaining funding will be available for remaining program eligible State disaster areas.

4. At least 70% of the Funding must meet the Low/Moderate Income Benefit National Objective. As a result, the State must be able to demonstrate that the funding is being expended to assist LMI persons.

5. All activities, with the exception of Administration and Planning, must meet at least one of the National Objectives. The state places priority be given to the low and moderate-income National Objective.

6. Only those funds used to serve households with up to 80% of AMI may qualify as meeting the low and moderate-income person benefit national objective. CDBG DR funding cannot be used to assist second homes.

As demonstrated earlier in this Action Plan, unmet need cost estimates far exceeds the current $36,353,000 in allocated CDBG DR funding as identified in the Federal Register Notice. Clearly, given the unmet need assessment data, there is still a sufficient amount of unmet disaster need to be addressed within the state. Should any additional future rounds of funding result, the State will consider these additional unmet needs that couldn't be funded under this funding allocation.

A summary of the proposed allocations by activity category is set forth in the table below. These needs are representative of the information provided via real-time feedback from surveys, partner state agencies, and direct public inquiry (email, telephone, public hearing) to ODOC/CD at the time of CDBG DR Action Plan submission to HUD.

STATE OF OKLAHOMA: CDBG DR Allocation (PL 116-20)		
Activity	**Amount**	**Allocation %**
Housing (Owner-Occupied and Multi-family Housing)	**$18,176,500.00**	50.0%
Public Facilities & Improvements	**$15,268,260.00**	42.0%
Economic Revitalization	**$0.00**	0.0%
Planning	**$1,090,590.00**	3.0%
Administration	**$1,817,650.00**	5.0%

TOTAL:	**$36,353,000.00**	**100%**

ODOC/CD anticipates that in some cases CDBG DR funding could potentially be available later in the program due to unforeseen events such as the cancellation of projects; projects completed under budget; or from funds designated but not allocated. ODOC/CD reserves the right to adjust any of the remaining CDBG DR funding to ensure maximum utilization of funds. Such CDBG DR "Reuse" funding adjustments shall be the minimum amount necessary to fund projects efficiently. The CDBG DR Reuse funding is also being made available to offset any unforeseen project eligible cost increases such as in the case of construction. All CDBG DR Reuse funding will be subject to the same expenditure deadlines and compliance requirements set forth in the Federal Register Notice. Funding deemed Reuse will be evaluated and allocated according to the following considerations.

1. In addition to first meeting the core CDBG DR Program eligibility requirements as outlined in this Action Plan, Reuse funding will be prioritized in order to allow the State to meet the minimum Federal Register specified objectives should these objectives still remain unfulfilled at the time of the Reuse funding availability. Should this happen, the ODOC/CD may continue to fund down the officially scored list of submitted CDBG DR applications for ELIGIBLE disaster recovery activities as long as funding and time restrictions permit. Any additional requested disaster activity funding will be subject to the same expenditure and compliance deadlines set forth in the Federal Register Notice and CDBG DR program selection priorities established by the State.

2. Reuse funding will be first considered for current grantees whose projects have been significantly impacted by unforeseen increased project completion costs and require additional funds to ensure timely completion of their eligible project.

3. Reuse funding consideration will depend on the amount required by the eligible CDBG DR project in relation to the amount of limited remaining CDBG DR funding available.

4. Reuse funding consideration will depend on the amount of time required for final project completion in relation to the amount of time remaining under the imposed Federal Register Notice deadlines.

5. Any remaining CDBG DR funding that cannot meet the expenditure deadlines and compliance requirements set forth in the Federal Register Notice will be will be returned to HUD as required under federal guidelines.

The State's first priority is to get CDBG DR funding to as many affected residents as possible in order to assist them in repairing their homes, infrastructure, and small businesses so they can get their lives back in order and get the local economy back in business. With this priority in mind, the State has developed additional factors to determine allocations of the Funding down to the level of specificity required by HUD.

The following additional factors (priorities) will guide the allocation of CDBG DR funding:

- The State's estimate of the unmet needs in the activity areas for which the funding can be used.

  The State's estimates are based on its review of FEMA, SBA, Census data, and the results of the surveys designed by the State and submitted to the State by municipalities and other local stakeholders in the eligible areas.

  The unmet needs estimate is necessarily preliminary. The State recognizes that the actual needs of the State's communities in the aftermath of the disasters will change as recovery and rebuilding programs are implemented. As such, the State continues to receive and evaluate new or revised data pertaining to unmet needs and the availability of funding from private insurance, FEMA, SBA and other sources. The State's estimate of the both the number of homes and businesses affected by the disasters as well as the magnitude of unmet needs will continue to be refined.

  The majority of CDBG DR funding under this Action Plan will be used to fund on housing and infrastructure unmet needs. Since much of the necessary data is still being gathered and analyzed by the State, regional planning organizations and units of local government, and since future allocations (*Subject to Federal Funding*) of CDBG DR Program funding will focus on unmet infrastructure and public facility's needs, a description of the allocation of such future funds will be set forth in any future plan required in connection with such funds.

- The prioritization of (a) infrastructure, resiliency, and housing activities and other activities that directly addresses an unmet need and can be commenced with minimal delay and thereafter completed promptly and (b) in the case of more complicated projects, necessary planning and predevelopment work that will facilitate the speedy commencement and completion of such projects should additional funds are allocated to the State.

- The availability of sufficient funds to efficiently and effectively administer the CDBG DR funding in compliance with all applicable laws.

- Direct Relationship-Disaster Area. All projects must show a direct relationship to the DR 4438 Disaster Declaration and must be located in the impact area. Projects must show the damage that still needs to be addressed (unmet need) or the mitigation/resiliency measures to be taken to prevent or lessen the impacts of a future related disaster.

- Readiness to Proceed. Each project must be capable of being undertaken (design and construction) immediately to provide outcomes to intended beneficiaries affected by the disaster. All projects must include a project timeline that allows ODOC to meet the Federal six (6) year deadline.

- Feasibility. Each project must be found to be financially feasible, sustainable and likely to contribute to the long-term recovery of the disaster impacted community.

Recovery needs change over time. As program needs evolve, programs may shift and change to meet the need. Changes to unmet needs, which result in a change in program benefit or eligibility criteria, the addition or deletion of an activity, or the allocation or reallocation of funds may result in either a non-substantial or substantial amendment to the Action Plan.

4.1 Housing (Rehabilitation, Reconstruction, Buyout)

Allocation $18,176,500

Housing unmet need is considered a top priority as delineated in the Federal Register Notice (Vol. 85, No. 17 / Monday, January 27, 2020), "Pursuant to the Prior Notices, each grantee receiving an allocation for a 2018 or 2019 disaster is required to primarily consider and address its unmet housing recovery needs. Housing unmet need is to be addressed first. Based on this along with the data and public outreach, ODOC/CD has allocated a majority of CDBG DR funding in support of eligible housing related activities. It should be noted that CDBG DR application scoring priority will be given to disaster recovery projects focused on housing related identified in the Federal Register Notice in order to help to achieve this goal.

This housing component of the CDBG DR Program will provide assistance in the form of grants to Units of General Local Governments (UGLG's) benefitting homeowners that experienced damage to their homes identified in the eligible areas and timeframe established under DR 4438 and have remaining recovery needs, after accounting for other benefits received.

For homeowners who wish to remain in their homes or rebuild on their existing property, the program will provide grants for rehabilitation or reconstruction. Applicants eligible for rehabilitation assistance may reach a level of repair scope, cost, or other situation in which reconstruction, instead of rehabilitation, is more feasible.

Single Family

Single family housing related activities comprise all the unmet housing need. Much of this housing activity will be comprised of housing related rehabilitation and buyout activities. A majority of all housing related activities will be accomplished within Muskogee County based on needs assessment and public outreach.

In regard to CDBG DR housing support, ODOC/CD has partnered with the Oklahoma Housing Finance Agency. This partnership isn't new. Currently, ODOC/CD and OHFA already partner under the State Consolidated Plan encompassing the Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG), HOME Partnership Program (HOME), Housing Trust Fund (HTF), and Housing Opportunities (HOPWA) Programs. OHFA manages the State's HOME, HTF, and HOPWA Programs. OHFA has the expertise related to housing resources and will be supporting ODOC/CD's CDBG DR housing activities in reviews of sub-grantee housing related proposals, recommendations regarding proposed projects, and providing general guidance relating to housing issues.

Currently, housing rehabilitation and buyout have emerged as the primary unmet housing need related activities.

Multi-family Housing

A reliable estimate for Multi-Family Rental Housing Rehabilitation (Eligible Rehabilitation and Preservation Activities 24 CFR 570.202 LMH/LMI) has not been firmly established. Public outreach has not indicated this an unmet need at this time. The State is addressing the unmet need in Public Housing in the proposed housing allocation. Although not fully identified at this time, ODOC/CD will be closely evaluating all submitted CDBG DR applications. Should eligible multi-family related projects with unmet needs be realized, appropriate funding will be provided.

HUD-assisted Housing, McKinney-Vento funded shelters, other HUD Properties

There were no transitional, supportive housing or other Continuum of Care or McKinney-Vento sponsored housing reporting any storm related damage at this time. Consequently, the State has not reserved any of CDBG DR funding specifically to address the rehabilitation, reconstruction or replacement of any McKinney-Vento funded shelters and housing for the homeless – including emergency shelters and transitional and permanent housing for the homeless.

As noted previously, the State will continue to collect data in regard to unmet housing needs along the associated housing activities and consider any unmet need request should it be reported and consider the these unmet needs should funding remain available.

Housing Goals

The State's housing recovery programs are designed to meet the unmet housing needs of the communities most impacted by disaster (i.e. the costs of repairs, reconstruction and new construction that insurance, FEMA and any other sources of funding does not cover). The objectives of the housing programs include helping people directly affected by disaster related to the disaster damage by:

1. Replacing and rehabilitating homes, including identifying opportunities for mitigation enhancement measures;
2. Improving the resilience of their homes while restoring their buildings/residences;
3. Directing homeowners, multifamily property owners and public housing authorities to additional potential sources of funding.
4. As applicable, providing buyout assistance.

To pursue these objectives, the State has developed a program that incorporates best practices from past disasters; builds upon stakeholder input from agencies and relevant organizations across the affected counties to ensure the diverse needs of residents and communities are appropriately addressed.

The State's strategy will balance speedy response with proper planning, and support while considering and incorporating the distinct needs and resources of different communities the members of those communities. Sub-grantees will manage all program operations while the ODOC/CD will ensure that all appropriate accountability and oversight mechanisms are in place.

Eligibility Threshold Requirements

- Pursuant to the Federal Register Notice, rehabilitation and reconstruction related activities must relate to direct physical damage inflicted to the as a result of the qualifying disaster;
- Unmet Needs – The funding is available solely to address unmet needs;

- Eligible/Fundable – each property must be determined to be an eligible and fundable activity under the Housing and Community Development Act as modified by the Federal Register Notice and all other applicable regulations and guidance.

- Impacted and Distressed Area – each property must be located within a disaster eligible area covered under DR 4438;

- Readiness to Proceed – each property must be capable of being undertaken immediately to provide outcomes to intended beneficiaries affected by the disaster;

- Feasibility – each property must be found to be financially feasible, sustainable and likely to contribute to the long-term recovery of disaster impacted communities; and

- Consistency with Consolidated Plan/Action Plan – each property must be reflective of the goals, priorities and requirements of the State of Oklahoma's 2019-2023 Consolidated Plan.

- No portion of the funding may be used to reimburse the applicant for costs incurred prior to the 4438 Disaster Declaration.

Funding Priorities

- Housing Priority – Application scoring priority will be given to disaster recovery projects focused on housing related identified in the Federal Register Notice Under the Federal Register Notice / Vol. 85, No. 17 / Monday, January 27, 2020, "Pursuant to the Prior Notices, each grantee receiving an allocation for a 2018 or 2019 disaster is required to primarily consider and address its unmet housing recovery needs. These grantees may, however, propose the use of funds for unmet economic revitalization and infrastructure needs unrelated to the grantee's unmet housing needs if the grantee demonstrates in its needs assessment that there is no remaining unmet housing need or that the remaining unmet housing need will be addressed by other sources of funds." **NOTE:** Under certain and limited circumstances, infrastructure that directly supports housing may qualify under this category. Example: An infrastructure project involving rebuilding a flood damaged road would quality as directly supporting housing if the damaged road provided sole access to the housing. An infrastructure project involving rebuilding a road that is just one of several roads providing access to the housing would NOT qualify as directly supporting housing and therefore would not quality to receive housing priority points.

- Most Impact & Distressed (MID) Counties – Application scoring priority will be given to projects that enable the State to satisfy the federal requirement that at least 80% of the funding be spent in Muskogee, Tulsa, and Sequoyah Counties;

- LMI Benefit – Application scoring priority will be given to projects that benefit LMI persons and/or are located in LMI Areas (i.e. an area with household incomes at or below 80% of the area median income);

- Unmet Need – Projects must show the damage that still needs to be addressed (unmet need) and the mitigation/resiliency measures to be taken to prevent or lessen the impacts of a future related disaster.

- Projects that address conditions that threaten the health and safety of either the occupants or the public;

- Projects that contribute significantly to the long-term recovery and economic revitalization of the affected area;

- Projects undertaken on behalf of a beneficiary or sponsor that commits to contribute financially in the repair, construction or mitigation of the project (this can be through private insurance, NFIP, FEMA, SBA, and/or other sources); and

- Mitigation – cost effective resiliency and other activities designed to harden the property in order to minimize reoccurrence of storm damage whenever possible or to protect households from future disasters by providing safe rooms or storm shelters.

- Readiness to Proceed. Each project must be capable of being undertaken (design and construction) immediately to provide outcomes to intended beneficiaries affected by the disaster. All projects must include a project timeline that allows ODOC to meet the six (6) year federal expenditure deadline.

Multifamily Rehabilitation

As needed, multifamily rehabilitation will provide financial assistance to rehabilitate LMI units in eligible multifamily properties with unmet need, including public housing, HUD-assisted housing, McKinney-Vento funded shelters and housing for the homeless, which were damaged by the disaster. The general requirements of this program are as follows:

1. Eligible applicants include owners of existing low moderate income (LMI) multifamily properties (for-profit and non-profit owners as well as public housing authorities);

2. An eligible applicant's property must have been directly affected by an eligible disaster;

3. Each property to be assisted must have been insured at the time of the storm;

4. Each property to be assisted must be current on property taxes, if applicable ("current on property taxes" includes being in compliance with a payment plan or stipulated agreement with the taxing entity);

5. Each property must have a minimum of five units (applicants may aggregate existing units to meet the threshold of five units);

6. Properties to be assisted must meet applicable local codes or rehabilitation standards at completion;

7. The owner/developer must submit a relocation plan that conforms to the Uniform Relocation Act (the "URA"), if applicable;

8. The owner must propose the financial structure, which, at a minimum shall meet all of the following criteria:

    a. CDBG DR Program funds are used as gap financing in the form of a subordinate debt, which may be secured by a mortgage;

    b. CDBG DR Program funds are limited to the hard and soft costs of rehabilitation;

    c. The application accounts for the expenditure of all benefits received prior to application, including:

        i. insurance payments;

        ii. FEMA or SBA payments

        iii. Cash or other benefits provided by any charitable organization in connection with the project;

        iv. Other federal, State or local financial assistance provided in connection with the project

9. All properties assisted with CDBG DR Program funds shall be encumbered with a lien for a period to be determined by ODOC or its assigns based standard underwriting of the project;

10. The property and the applicant meet all of the federal, State and local requirements of eligibility and underwriting for the Funding and all other applicable federal requirements;

Eligible Activities

Rehabilitation: CDBG funds may be used in a variety of ways to rehabilitate publicly and privately-owned buildings for residential purposes, including manufactured housing that is part of the community's permanent housing stock [24 CFR 570.202].

Rehabilitation does NOT include:

- Creation of a secondary housing unit attached to a primary unit
- Installation of luxury items, such as a swimming pool;
- Costs of equipment, furnishings, or other personal property not an integral structural fixture, such as a window air conditioner; or
- The value of the homeowner's sweat equity to rehabilitate their own property

Reconstruction: Reconstruction is a form of rehabilitation. "Reconstruction generally means the rebuilding of a structure on the same site in substantially the same manner." The number of dwelling units on a site may not be increased; but, the number of rooms per unit may be increased or decreased. Reconstruction became explicitly eligible for CDBG assistance as a result of a legislative change under section 225 of the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (P.L. 104-234, enacted April 26, 1996). This change [in section 105(a)(4) of the Housing and Community Development Act of 1974 as amended] broadens grantees' ability to use CDBG funds for "reconstruction" of properties. While this eligibility provision has not yet been codified in the CDBG regulations, it became effective upon enactment. Grantees have thus been able to make use of this provision since enacted.

> While the statute does not define the term "reconstruction," for CDBG purposes, it is generally defined as meaning the rebuilding of a structure on the same site in substantially the same manner. Deviations from the original design are permitted for reasons of safety or if otherwise impractical. The structure to be reconstructed may be residential or nonresidential, and either publicly- or privately-owned. For reconstruction involving housing, the number of housing units on a site may not be increased, but the number of rooms per unit may be increased or decreased. [Note that any decrease in the number of units on a site may require compliance with the one-for-one replacement of L/M income dwelling units at 24 CFR part 42, subpart C.] Reconstruction of residential structures would also permit replacing an existing

substandard unit of manufactured housing with a new or standard unit of manufactured housing. Note that reconstruction is also permitted elsewhere in the regulations under Public Facilities and Improvements [§570.201(c)], and Privately Owned Utilities [§570.201(1)].

Note: For single unit housing, 100 percent of the units assisted must be occupied by low and moderate-income households. For a multi-unit structure, 51 percent of the units must be occupied by low and moderate-income households. (For duplexes, one of the two units must be occupied by low and moderate-income households.) For rental properties, where two or more rental buildings are located on the same or contiguous properties and the buildings are under common ownership and management, the grouped buildings may be considered a single structure, thus providing that not less than 51 percent of all such units must be occupied by low and moderate-income households [24 CFR 570.208(a)(3); 24 CFR 570.483(b)(3)]; .

Buyouts: Grantees can use CDBG DR funds to buy properties, both commercial and residential, in a target area with the intent to demolish the structures and create park amenities, open space, or flood storage/overflow areas. Such programs are typically part of a multi-pronged approach to community revitalization that includes relocation of residents and businesses in addition to business development activities. Buyout programs are especially effective in communities that have endured multiple disasters in the same neighborhood in the recent past, or sustained severe damage where there is high risk of additional disasters, such as a 100-year flood plain. These programs can help reduce the impact of future disasters while encouraging targeted revitalization efforts and public spaces.

4.2 Public Facilities & Public Improvements

Allocation: $15,268,260

Neither the statute nor the regulations define the terms “public facilities” or “public improvements.” However, under the core CDBG program, these terms are broadly interpreted to include all improvements and facilities that are either publicly owned or that are traditionally provided by the government, or owned by a nonprofit, and operated so as to be open to the general public. This would include neighborhood facilities, firehouses, public schools, and libraries. Public improvements include streets, sidewalks, curbs and gutters, parks, playgrounds, water and sewer lines, flood and drainage improvements, parking lots, and utility lines. With one notable exception, this category does not authorize expenditures for “buildings for the general conduct of government.” The exception is that funds may be used to remove from such buildings material and architectural barriers that restrict the mobility and accessibility of elderly or severely disabled persons. Reference: §570.207(a)(1) As defined

in the statute, the term "buildings for the general conduct of government" means "city halls, county administrative buildings, State capitol or office buildings or other facilities in which the legislative, judicial or general administrative affairs of government are conducted." The term includes court houses. It does not include buildings which are used to deliver services to the public such as police stations or fire stations

The State has identified several impacted areas that have proposed infrastructure related projects with unmet needs due mostly in part to flooding and road deterioration brought about from the disaster and the debris clean-up following the disaster. The State's allocation for infrastructure projects will focus on unmet needs that are urgent in nature and can be immediately addressed, including, but not limited to drainage repairs and critical road repairs.

Public Facilities and Public Improvement Goals

The primary goal of Oklahoma's CDBG DR disaster recovery program with regard to public facilities and public improvements is to restore a suitable living environment in disaster impacted areas by rehabilitating or reconstructing infrastructure, particularly though exclusively where such infrastructure primarily serves LMI persons. The State also intends to make infrastructure repairs in a manner that supports energy conservation/efficiency objectives and responsible growth as well as transit-oriented development.

As previously noted, it is not expected that this amount is sufficient to address a large portion of the State's remaining unmet infrastructure needs. It is hopeful that any future CDBG DR funding will be intended primarily for unmet infrastructure, public facility and mitigation "only" needs.

Public Improvements (Infrastructure)

This proposed allocation will be the largest allocation made under the Public Facilities & Public Improvement's category since infrastructure unmet is so great and such related costs stand as considerably higher in comparison to housing costs. As previously noted, it is not expected that this amount is sufficient to address a large portion of the State's unmet infrastructure needs. There is hope that future CDBG DR related funding will be intended primarily for unmet infrastructure, public facility and mitigation "only" needs. The State will more fully address its infrastructure needs when such future funds are allocated. Infrastructure unmet needs are, for the purpose of this Action Plan, limited to the repair and replacement of existing infrastructure. This includes the construction of new infrastructure or 'hardening' of existing infrastructure damaged due to the subsequent disaster occurring in 2019 under FEMA DR 4438.

Eligible Activities

- The acquisition, construction, reconstruction, rehabilitation, or installation of public facilities and improvements are eligible activities under CDBG and can be carried out by a grantee, sub-recipient, or other nonprofit. Public facilities may only be owned by these types of entities. Note: If the assisted facility is owned by a nonprofit, core CDBG regulations stipulate that the facility must be open to the public during normal working hours.
- Eligible types of facilities and improvements include: – Infrastructure improvements (construction or installation) including, but not limited to streets, curbs, and water and sewer lines; – Neighborhood facilities including, but not limited to public schools, libraries, recreational facilities, parks, playgrounds; and – Facilities for persons with special needs such as facilities for the homeless or domestic violence shelters, nursing homes, or group homes for the disabled.
- Eligible costs associated with eligible activities may include: Handicapped accessibility improvements (including improvements to buildings used for general conduct of government)

Ineligible Activities

- The maintenance and repair of public facilities and improvements is generally ineligible (e.g., filling potholes, repairing cracks in sidewalks, mowing grass at public recreational areas or replacing street light bulbs).
- Operating costs associated with public facilities or improvements are ineligible unless part of a CDBG DR assisted public service activity or eligible as an interim assistance activity.

Eligibility Threshold Requirements

- Pursuant to the Federal Register Notice, the requested activity must relate to direct physical damage inflicted to the infrastructure as a result of the qualifying disaster;
- Unmet Needs – The funding is available solely to address unmet needs;
- Eligible/Fundable – each property must be determined to be an eligible and fundable activity under the Housing and Community Development Act as modified by the Federal Register Notice and all other applicable regulations and guidance.
- Impacted and Distressed Area – each property must be located within a disaster eligible area covered under DR 4438;

- Readiness to Proceed – each project must capable of being undertaken (design or construction) immediately to provide outcomes to intended beneficiaries effected by the disaster;

- Feasibility – each project must be found to be financially feasible, sustainable and likely to contribute to the long-term recovery of disaster impacted communities; and

- Consistency with Consolidated Plan/Action Plan – each project must be reflective of the goals, priorities and requirements of the State's 2019-2023 Consolidated Plan.

- No portion of the funding may be used to reimburse the applicant for costs incurred prior to the 4438 Disaster Declaration.

Funding Priorities

- Housing Priority – Application scoring priority will be given to disaster recovery projects focused on housing related identified in the Federal Register Notice Under the Federal Register Notice / Vol. 85, No. 17 / Monday, January 27, 2020, "Pursuant to the Prior Notices, each grantee receiving an allocation for a 2018 or 2019 disaster is required to primarily consider and address its unmet housing recovery needs. These grantees may, however, propose the use of funds for unmet economic revitalization and infrastructure needs unrelated to the grantee's unmet housing needs if the grantee demonstrates in its needs assessment that there is no remaining unmet housing need or that the remaining unmet housing need will be addressed by other sources of funds." **NOTE:** Under certain and limited circumstances, infrastructure that directly supports housing may qualify under this category. Example: An infrastructure project involving rebuilding a flood damaged road would quality as directly supporting housing if the damaged road provided sole access to the housing. An infrastructure project involving rebuilding a road that is just one of several roads providing access to the housing would NOT qualify as directly supporting housing and therefore would not quality to receive housing priority points.

- LMI Benefit – Application scoring priority will be given to projects that benefit LMI persons and/or are located in LMI Areas (i.e. an area with household incomes at or below 80% of the area median income);

- Most Impact & Distressed (MID) Counties – Application scoring priority will be given to projects that enable the State to satisfy the federal requirement that at least 80% of the funding be spent in Muskogee, Tulsa, and Sequoyah Counties;

- Unmet Need – Projects must show the damage that still needs to be addressed (unmet need) and the mitigation/resiliency measures to be taken to prevent or lessen the impacts of a future related disaster.
- Projects that address conditions that threaten the health and safety of either the occupants or the public;
- Projects that contribute significantly to the long-term recovery and economic revitalization of the affected area;
- Projects undertaken on behalf of a beneficiary or sponsor that commits to contribute financially in the repair, construction or mitigation of the project (this can be through private insurance, NFIP, FEMA, SBA, and/or other sources); and
- Mitigation – cost effective resiliency and other activities designed to harden the property in order to minimize reoccurrence of storm damage whenever possible or to protect households from future disasters by providing safe rooms or storm shelters.
- Readiness to Proceed. Each project must be capable of being undertaken (design and construction) immediately to provide outcomes to intended beneficiaries affected by the disaster. All projects must include a project timeline that allows ODOC to meet the six (6) year federal expenditure deadline.

Under the core CDBG program, activities eligible under this category are broadly interpreted to include all improvements and facilities that are either publicly owned or that are traditionally provided by the government, or owned by a nonprofit, and operated to be open to the general public. Public facilities include neighborhood facilities, firehouses, public schools, and libraries.

Public improvements may include streets, sidewalks, curbs and gutters, parks, playgrounds, water and sewer lines, public flood and drainage improvements, parking lots, and utility lines.

Typical CDBG DR funded activities in this category include the repair, replacement, or relocation of damaged public facilities or public improvements. If applicable, infrastructure projects located in a floodplain must meet the requirements of 24 CFR Part 55 "Floodplain Management and Protection of Wetlands."

The construction of new infrastructure may be CDBG DR eligible provided that the grantee can demonstrate how the activity will meet one of the statutory purposes of the funds, such as restoration of infrastructure, long-term recovery, or economic development. As previously stated, all CDBG DR disaster recovery activities must clearly

address an impact of the disaster for which funding was appropriated. Given the standard CDBG requirements, this means each activity must: (1) be CDBG eligible (or receive a waiver), (2) meet a national objective, and (3) address a direct or indirect impact from the disaster in a presidentially declared county.

New infrastructure may be CDBG eligible as a public facility or improvement under Section 105(a)(2) of the HCD Act. In addition, it may be able to meet a national objective (e.g., benefit to an LMI area).

However, the critical issue becomes illustrating the connection between the construction of the infrastructure and the applicable disaster. Often, the new construction of infrastructure can easily be tied to mitigation (i.e. the prevention of future damage) but it must demonstrate a recovery need whereby mitigation alone is not the only unmet need served.

4.3 Economic Revitalization

Allocation: $0

The State has vigorously pursued public input regarding determination of disaster related unmet needs within the identified disaster areas. While overall, many businesses were affected by the storm(s); the vast majority had insurance and are or have been rebuilt. Given the amount of the CDBG DR allocation and the high level of insured commercial losses and lack of sufficient disaster funding at this time, the State cannot make this category the highest priority.

1. Due to limited funds, a preference will be given to businesses located in LMA's or operated by Section 3 eligible applicants.
2. Due to Federal Register Notice requirements, the state will give preference to business equipment or business structural repairs to Muskogee, Tulsa, and Sequoyah County, the counties most impacted and specifically addressed in the Federal Register Notice as funding priorities.

4.4 Planning

Allocation: $1,090,590

HUD guidelines allow the State to opt to expend up to 15% of its CDBG DR Program funding allocation on planning activities. The State does not intend to expend its planning activity allocation to assist in the planning processes associated with the redevelopment of storm impacted areas during this allocation of disaster recovery funding. The Federal Register notice published February 9, 2018 (83 FR 5850), requires all grantees to describe how they plan to promote sound, sustainable long-term planning.

Planning Goals (Long-Term Recovery Planning)

It is important for Oklahoma to be proactive in anticipation of future natural disasters. Accordingly, a study will assist in the long term planning processes associated with improving resiliency and mitigation of housing statewide. ODOC/CD working in partnership with the Oklahoma Water Resource Board will be conducting a statewide flood plan study. As addressed earlier, the disaster resiliency assessment conducted by the Oklahoma Housing Finance Agency (OHFA) as part of the Oklahoma Housing Needs Assessment found several notable recommendations as they relate to disaster resiliency. Areas related to planning were noted. Proper planning will allow the State to more readily mitigate many potential disaster related issues in the future.

OWRB Flood Plan Study

ODOC/CD working in partnership with the Oklahoma Water Resource Board will be conducting a flood plan study.

Purpose:

1. The State Flood Plan shall provide for orderly preparation for and response to flood conditions to protect against the loss of life and property;
2. Be a guide to state and local flood control policy;
3. Contribute to water development when possible.

OK Flood Plan Vision:

Develop a dynamic state flood plan, integrated with the Oklahoma Comprehensive Water Plan (OCWP), that raises risk awareness, motivates actions to reduce flood risk and serves as a statewide roadmap for long-term recovery and flood resilience. The plan shall include:

- An evaluation of the condition and adequacy of flood control infrastructure on a watershed basis
- A state-wide list of ongoing proposed flood control and mitigation projects and strategies necessary to protect against the loss of life and property from flooding and a discussion of how those projects and strategies might further water development where applicable
- An analysis of completed, ongoing and proposed flood control projects included in previous state flood plans including which projects received funding

- An analysis of completed, ongoing and proposed flood hazard areas, as defined by FEMA
- Legislative recommendations the Board considers necessary to facilitate flood control planning and project construction

Funding Strategy:

OWRB is planning to utilize CDBG DR funding to supplement the following grants through Federal Emergency Management Agency (FEMA):

1. Hazard Mitigation Grant Program (HMGP)
2. Flood Mitigation Assistance Grant Program (FMA)

Propose Tasks:

Task for DR-4438 area	**Estimated Cost**
Data Collection and Analysis	$430,000
Flood Risk Reduction Strategies	$220,000
Evaluate Funding Needs and Opportunities	$230,000
TOTAL	**$880,000**

- Data Collection and Analysis – Assumes up to 12 national and statewide datasets (e.g. NFIP policy, NFIP claims, FEMA NFHL, USACE NLD, CRS, etc.) will be collected, aggregated and analyzed to quantify flood risk (i.e. hazard, vulnerability and consequences) at the HUC-8 level that can then be rolled up to the Regional and State level. The consequence analysis includes evaluating infrastructure (roads, bridges, etc.) and critical infrastructure (hospitals, schools, water treatment facilities), and an evaluation of the condition and adequacy of flood control infrastructure (dams, levees, and other regional flood control structures) on a watershed basis. The vulnerability analysis includes quantifying economic losses from recent declared disasters, including DR-4438. Additionally, a hot spot analysis will be performed to identify areas of moderate to high risk and areas with recent flooding disasters. This task also includes collecting and evaluating local and state hazard mitigation plans, drainage, and stormwater master plans,

planned regional flood mitigation projects and an evaluation of state and local floodplain policies, standards, and ordinances. It is assumed that data will exist to be evaluated from the 402 communities that participate in the NFIP.

- Flood Risk Reduction Strategies – Includes evaluating non-structural flood risk reduction strategies and compiling structural flood risk reduction strategies per HUC-8 based on Tasks 2 & 3 analysis. Non-structural strategies include data for flood planning, flood insurance, floodplain development ordinances, building codes, zoning, elevation, flood proofing and/or reconstruction, flood awareness training and/or education, property buyouts or relocations, flood warning systems, and open land preservation. Additionally, an evaluation of statewide FEMA Community Rating Systems (CRS) participation will be performed to understand how communities can increase their CRS score (and receive NFIP insurance discounts) in anticipation of increased premiums as FEMA implements Risk Rating 2.0 and moves towards actuarial rates. Structural flood risk reduction strategies include drainage improvements, roadway, bridges, culverts and pipes, local detention and/or retention basins, regional detention and/or retention, channel conveyance improvements, levees, floodwalls, and flood control reservoirs. Strategies will then be categorized or tiered, in coordination with OWRB and Advisory Team, considering short term and long-term solutions. Consideration will be given for multi-benefit projects and/or synergies with water planning goals and objectives and projects for disaster relief.

- Evaluate Funding Needs and Opportunities – This task will evaluate and summarize existing Federal, State and local financial programs and enabling legislation, collect and summarize results of financial elements of Task 2 (evaluate CIP budgets, utility fees for flooding, etc.), develop a range of capital cost estimates for non-structural and structural solutions identified in Task 4 (assumes up to 4 flood mitigation projects per HUC-8 will be evaluated), develop an understanding of funding needs at the Region and State level, and identify funding strategies and recommendations to address funding gaps.

Eligible Activities (Planning)

Funds may be used for:

- Studies
- Analysis
- Data Gathering
- Preparation of plans and actions that will implement plans

Ineligible Activities (Planning)

Planning and capacity building activities do not include:

- Engineering, architectural, and design costs related to a specific project (for example, detailed engineering specifications and working drawings);
- Other costs of implementing plans

4.5 Administration

Allocation: $1,817,650.00

The State is entitled to a maximum of 5% of the total CDBG DR allocation and will act as the lead agency for the overall administration of the CDBG Disaster Recovery funding. Together, Planning and Administration are capped at 20% of the total grant allocation. Of this, by regulation up to 5% of the grant can be used for administration. The State will administer and utilize sub-grantees to disburse the CDBG Disaster Recovery funding directly to benefit homeowners, multifamily property owners, and other eligible beneficiaries of the funding. Administration of the CDBG Disaster Recovery funding by the State will ensure that program activities reach affected residents in a consistent and coordinated manner. The State will implement the programs and activities detailed in this Action Plan primarily through dedicated staff, consultants and third-party contractors.

It is important to define the difference between Activity, Activity Delivery, and Grant Administrative Costs. 24 CFR 570.205 covers grant administration.

1. Activity Costs: Actual costs to acquire, rehabilitate or construct projects, or provide assistance.
2. Activity Delivery Costs (ADC): costs incurred by sub-recipients to facilitate the development of specific projects and programs (e.g. environmental review, work write up, applicant selection, rehab standards), can include soft costs tied to specific project and are reported within the project or program.
3. Grant Administrative Costs: Costs that grantee (State) must incur to administer or manage the CDBG DR grant (e.g. monitoring, financial management, reporting).

The third-party contractors to be retained by ODOC/CD will vary by activity category (i.e. Homeowner Rehabilitation, Multifamily Rehabilitation/Mitigation, Infrastructure, Economic Revitalization, Public Facilities, and Planning) and may include, but not be limited to:

- Application Intake and Evaluation (specifically for Homeowner programs);

- Architectural and Engineering services;
- ODOC Internal CDBG DR Program Auditing;
- Environmental Review services (including historic preservation review);
- Construction Management services; and
- General Contracting (including subcontracting).

The ODOC/CD staff dedicated to the administration of the CDBG DR funding will be responsible for complying with the significant federal requirements related to financial management and control, programmatic compliance and monitoring, affirmative fair housing, the prevention of fraud, waste and abuse. These staff members will be responsible for administering all aspects of the State's CDBG DR Program, including oversight of all contractors, working with individual applicants, processing the necessary payments, tracking projects and program activities, reporting in the federal Disaster Recovery Grants Reporting (DRGR) system, as well as coordinating the activities of other state agencies in relation to disaster recovery.

The ODOC/CD staff dedicated to the administration of the Funding will be responsible for complying with the significant federal requirements related to financial management and control, programmatic compliance and monitoring, affirmative fair housing, the prevention of fraud, waste and abuse. These staff members will be responsible for administering all aspects of the State's CDBG DR Program, including oversight of all contractors, working with individual applicants, processing the necessary payments, tracking projects and program activities, reporting in the federal Disaster Recovery Grants Administration (DRGR) system, as well as coordinating the activities of other state agencies in relation to the disaster recovery.

ODOC/CD staff will also oversee the extensive federal requirements associated with programmatic compliance and monitoring. These staff members will be responsible for ensuring the overall administration of the Funding complies with all applicable federal requirements. They will monitor other ODOC/CD staff to ensure the proper implementation of consistent processes and procedures, particularly as they relate to the identification and prevention of the duplication of benefits. This compliance team will also be responsible for monitoring all ODOC contractors and service providers as detailed in the CDBG DR Policy and Procedures Manual located on the ODOC/CD CDBG DR website https://www.okcommerce.gov/reporting-compliance/cdbg-disaster-recovery-2019/. As previously noted, there will also be long-term compliance requirements associated with some of these program activities (i.e. liens on homeowner and multifamily properties for extended periods.

In order to effectively administer the CDBG Disaster Recovery funding, consistent with these federal requirements, and to ensure that the necessary safe guards are provided, and monitoring processes and

procedures are established and followed, the State intends to utilize the full allotment of administrative funds allowed under the Federal Register Notice. By regulation, the CDBG Disaster Recovery administration for this allocation is subject to 5% of the total funding amount.

4.6 Leverage Resources

ODOC/CD commits to advancing recovery programs and activities that provide long-term benefits and improved resilience to current and future hazards. ODOC/CD also attempts to align its CDBG DR programs or projects with other planned federal, state, regional, or local capital improvements, where feasible. The recovery effort for the State will be assisted through the provision of multiple funding sources. Primarily of interest to the recovery are funds received for FEMA Public Assistance (PA), FEMA Individual Assistance (IA), FEMA Hazard Mitigation Grant Program (HMGP), Small Business Administration (SBA) Disaster Loans, Department of Transportation (DOT) funds, and U.S. Army Corps of Engineers (USACE) funds. Although not required, sub-grantees are encouraged to make contributions to the disaster related project projects through the expenditure of local general funds.

FEMA PA projects may present a leverage opportunity for CDBG DR funds. Traditionally, the State has provided the 25 percent match required to fund FEMA PA and FEMA HMGP projects. However, the commitment of additional CDBG DR funds to FEMA assisted projects may be beneficial to allow for improved resiliency, mitigation, or increase the long-term useful life of the improved project. ODOC/CD will assess funded FEMA PA and HMGP projects to determine if the use of CDBG DR funds will provide a benefit to otherwise funded projects. FEMA IA and SBA Disaster Loan funds received present a leverage opportunity for all housing programming. Where feasible, CDBG DR funds will be leveraged with FEMA IA and SBA funds to provide additional funds for recovery activities such as rehabilitation, reconstruction, new construction, or buyout. ODOC/CD will have policies and processes in place to ensure that CDBG DR is not duplicated with other assistance for the same purpose. For affordable housing projects, ODOC/CD will review applications for funding in the context of other funds available. In its project selection, ODOC/CD will evaluate the complete funding package and assess how other funds are leveraged to the fullest to maximize a return on investment with federal funds. Potential sources of leverage include other federal funds, such as SBA loans, Low Income Housing Tax Credits (LIHTC), private funding, and State or local funds. Favorable leverage opportunities will receive greater prioritization for CDBG DR funding. ODOC/CD will evaluate proposer capacity as well as the individual projects proposed, and may elect to enter into other sub-recipient or partner relationships to execute affordable housing that is advantageous to the program and to the impacted area.

In all, the ODOC/CD has identified several forms of leverage to increase the impact of the CDBG DR funding. Of the potential sources of leverage, Infrastructure related activities (road & drainage) will have the highest leverage

requirement due to the nature and scope of work required. For infrastructure related activities, although not required, it will be anticipated that the local funds be utilized given the limited amount of overall funding already provided. Leverage in owner occupied rehabilitation will vary greatly by the applicant and will be dependent on a number of factors which cannot reasonably be quantified at this time, such as the availability of private insurance and National Flood Insurance Program paid claims payments, and foundation and/or other philanthropic awards.

5. PROGRAM REQUIREMENTS

Along with the core CDBG DR Program requirements outlined in the Federal Register Notices, CDBG DR funding must comply all other applicable crosscutting federal requirements. These cross cutting regulations must be addressed in the Action Plan and implemented throughout the grant process.

5.1 Federal Funding Accountability and Transparency Act (FFATA)

The Federal Funding Accountability and Transparency Act (FFATA) was signed on September 26, 2006. The intent is to empower every American with the ability to hold the government accountable for each spending decision. The end result is to reduce wasteful spending in the government. The FFATA legislation requires information on federal awards (federal financial assistance and expenditures) be made available to the public via a single, searchable website, which is www.USASpending.gov.

The FFATA Subaward Reporting System (FSRS) is the reporting tool Federal prime awardees (i.e. prime contractors and prime grants recipients) use to capture and report subaward and executive compensation data regarding their first-tier subawards to meet the FFATA reporting requirements. Prime contract awardees will report against sub-contracts awarded and prime grant awardees will report against sub-grants awarded. The sub-award information entered in FSRS will then be displayed on www.USASpending.gov associated with the prime award furthering Federal spending transparency.

The System for Award Management (SAM) is an official website of the U.S. government and supports the FFATA data contained on www.USASpending.gov. You must have an active registration in SAM to do business with the Federal Government. There is no cost to use SAM. The General Services Administration (GSA) is required by the Federal Acquisition Regulation (FAR) to compile and maintain a list of parties debarred, suspended, or disqualified by federal agencies in www.SAM.gov. Units of General Local Government (UGLG's), contractors as well as recipients of federal financial assistance must be registered at www.SAM.gov. Active registration in SAM is

required to apply for an award and for HUD to make a payment. ODOC/CD is required by HUD to check sub-grantees' debarment/exclusion status in the federal SAM database and place a record on file. Applicants can use this site for free to:

1. Register to do business with the U.S. government
2. Update or renew entity registration
3. Check status of an entity registration
4. Search for entity registration and exclusion records

Per the SAM User Guide, the No Active Exclusions field on the SAM Entity summary indicates the entity has a current debarment. SAM.gov will check the exclusions list for the DUNS number of your entity and indicate whether any exclusion records exist. If an active exclusion record exists for your entity, this question will default to "Yes," meaning that the contractor is debarred. No Record Found means that the entity is not registered or has let its registration lapse. The entity should ensure that the email address is current in SAM.gov so that when automated reminders are sent to renew registration each year that this reminder does not go into spam due to an obsolete email address.

5.2 Environmental Review

An environmental review is the process of reviewing a project and its potential environmental impacts to determine whether it meets federal, state, and local environmental standards. The environmental review process is required for all HUD-assisted projects to ensure that the proposed project does not negatively impact the surrounding environment and that the property site itself will not have an adverse environmental or health effect on end users. Not every project is subject to a full environmental review (i.e., every project's environmental impact must be examined, but the extent of this examination varies), but every project must be in compliance with the National Environmental Policy Act (NEPA), and other related Federal and state environmental laws.

ODOC/CD details a process for monitoring and maintaining environmental compliance for all CDBG DR grant fund recipients in its CDBG DR policies and procedures to ensure compliance with this requirement. The CDBG DR Policy and Procedure Manual is available on the CDBG DR disaster recovery website (https://www.okcommerce.gov/reporting-compliance/cdbg-disaster-recovery-2019).

5.3 Labor Standards

HUD programs require compliance with federal labor provisions. The Fair Labor Standards Act (FLSA) governs such matters as Federal minimum wage rates and overtime (O/T). These standards are generally applicable to any labor performed and may be pre-empted by other (often more stringent) federal standards. The authority to administer and enforce FLSA provisions resides solely with the Department of Labor (DOL).

The Davis-Bacon Act (DBA), enacted in 1931, applies to contracts in excess of $2,000, for construction, alteration and/or repair of public buildings or public works, including painting and decorating, to which the United States or the District of Columbia is a party. The DBA requires that the advertised specifications for such contracts contain a provision stating the minimum wages to be paid to various classes of laborers and mechanics be based upon the wages found to be prevailing by the Secretary of Labor. The DBA includes provisions that:

1. Require the contractor or subcontractor to pay all mechanics and laborers not less often than once a week;
2. Prohibit deductions or rebates from wages earned by laborers and mechanics;
3. Require the contractor or subcontractor to pay Davis-Bacon wages to all laborers and mechanics employed on the site of the work regardless of any contractual relationship alleged to exist between the laborers and mechanics and the contractor or subcontractor;
4. Require that the scale of wages to be paid (i.e., the applicable Davis-Bacon wage decision) be posted in a prominent and accessible place at the work site;
5. Define prevailing wages to include fringe benefits;
6. Permit withholding from payments due to the contractor on account of wage restitution which may be found due to the laborers and mechanics;
7. Permit the payment of wage restitution from amounts withheld from contract payments;
8. Permit the termination of the contract where it is found that that any laborer or mechanic is underpaid;
9. Permit the debarment of persons or firms found to have disregarded their obligations to employees and subcontractors.

The Copeland Act (Anti-Kickback) requirements are applicable only where Davis-Bacon prevailing wage provisions are applicable. The Copeland Act concerns three facets of prevailing wage compliance:

1. The “anti-kickback’ provision makes it a criminal offense for any person to induce, by any manner whatsoever, any person employed in the construction, prosecution, completion, or repair of any public building, public work, or building or work financed in whole or in part by loans or grants from the United States, to give up any part of the compensation to which he/she is entitled under his/her contract of employment. Violations of the anti-kickback provision are punishable by a fine or by imprisonment up to 5 years, or both.
2. Associated DOL regulations restrict payroll deductions to those that are permissible without DOL approval as explained at 29 CFR §3.5; deductions that require advance DOL approval are explained at 29 CFR §3.6.
3. The Act also requires the submission of weekly payroll reports and statements of compliance (certified payroll report = CPR) by all contractors and subcontractors engaged in such construction, prosecution, completion or repair. The willful falsification of a payroll report or Statement of Compliance may subject the employer to civil or criminal prosecution under §101 of Title 18 and §3729 of Title 31 of the U.S.C. and may also be a cause for debarment.

ODOC/CD details a process for monitoring and maintaining labor standards compliance for all CDBG DR grant fund recipients in its CDBG DR policies and procedures to ensure compliance with this requirement. The CDBG DR Policy and Procedure Manual is available on the CDBG DR disaster recovery website (https://www.okcommerce.gov/reporting-compliance/cdbg-disaster-recovery-2019).

5.4 Section 3, Minority, Women Owned Economic Opportunities

Section 3 is a provision of the Housing and Urban Development (HUD) Act of 1968 that helps foster local economic development, neighborhood economic improvement, and individual self-sufficiency. The Section 3 program requires that recipients of certain HUD financial assistance, to the greatest extent possible, provide training, employment, contracting and other economic opportunities to low and very low-income persons, especially recipients of government assistance for housing, and to businesses that provide economic opportunities to low and very low-income persons.

The State’s affirmative outreach and marketing efforts are governed by the following initiatives, efforts or programs.

Policy: Contracting with Small and Minority Businesses, Women Business Enterprise and Labor Surplus Firms

It is national policy to award a fair share of contracts to small, women and minority business firms. Accordingly, affirmative steps must be taken to assure that small and minority/women businesses are utilized when possible as sources of supplies, equipment, construction and services. Affirmative steps shall include the following:

1. Including qualified small and minority/women businesses on solicitation lists.
2. Assuring that small and minority/women businesses are solicited whenever they are potential sources.
3. When economically feasible, dividing total requirements into smaller tasks or quantities so as to permit maximum small and minority/women business participation.
4. Using the services and assistance of the Small Business Administration, the Office of Minority Business Enterprise of the Department of Commerce and the Community Services Administration as required.
5. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority business, and women's business enterprises.
6. If any subcontracts are to be let, requiring the prime contractor to take affirmative steps in 1 through 5 above.
7. Grantees shall take similar appropriate affirmative action in support of women's business enterprises.
8. Grantees are encouraged to procure goods and services from labor surplus areas.
9. Grantor agencies may impose additional regulations and requirements in the foregoing areas only to the extent specifically mandated by statute or presidential direction.

Definitions

Minority Business Enterprise – A Minority Business Enterprise is a business in which minority group members own 51 percent or more of the company; or, in the case of a publicly-owned business, one in which minority group members own at least 51% of its voting stock and control management and daily business operations. For this purpose, minority group members are those groups of U.S. citizens found to be disadvantaged by the Small Business Administration pursuant to Section 8(d) of the Small Business Act. Such groups include, but are

not limited to, Black Americans, Hispanic Americans, Native Americans, Indian tribes, Asian Pacific Americans, Native Hawaiian Organizations, and other minorities.

Women Business Enterprise - A Women Business Enterprise is a small business that is at least 51% owned by one or more women. In the case of publicly owned businesses, at least 51% of the stock is owned by one or more women and the management and daily operations of the business are controlled by one or more women.

Small Business - A business that is independently owned and operated and which is not dominant in its field of operation and in conformity with specific industry criteria defined by the Small Business Administration (SBA)

Small Disadvantaged Business - A Small Disadvantaged Business is a small business that is at least 51% owned and controlled by a socially and economically disadvantaged individual or individuals. Small Disadvantaged Businesses are often referred to as Section 3 businesses.

Racial and Ethnic Groups - The following are HUD defined recognized and ethnic categories:

- *White, Not Hispanic Origin* - A person having origins in any of the original peoples of Europe, North Africa, or the Middle East, but not of Hispanic origin.
- *Black, Not Hispanic Origin* - A person having origins in any of the black racial groups of Africa, but not of Hispanic origin.
- *Hispanic* - A person of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin, regardless of race.
- *Asian and Pacific Islander* - A person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands.
- *American Indian or Alaskan Native Origin* - A person having origins in any of the original peoples of North America, and who maintains cultural identification through tribal.

ODOC/CD details a process for monitoring and maintaining Section 3 and minority compliance for all CDBG DR grant fund recipients in its CDBG DR policies and procedures to ensure compliance with this requirement. The CDBG DR Policy and Procedure Manual is available on the CDBG DR disaster recovery website (https://www.okcommerce.gov/reporting-compliance/cdbg-disaster-recovery-2019).

5.5 Fair Housing, Handicapped Accessibility, Equal Opportunity Requirements

The Fair Housing Act (Title VIII of the Civil Rights Act of 1968) introduced meaningful federal enforcement mechanisms. It outlaws the refusal to sell or rent a dwelling to any person because of race, color, disability, religion, sex, familial status, or national origin. The Fair Housing Act protects people from discrimination when they are renting or buying a home, getting a mortgage, seeking housing assistance, or engaging in other housing-related activities.

Fair housing applies to the following actions in the sale and rental of housing because of race, color, religion, sex, disability, familial status, or national origin:

- Refuse to rent or sell housing
- Refuse to negotiate for housing
- Otherwise make housing unavailable
- Set different terms, conditions or privileges for sale or rental of a dwelling
- Provide a person different housing services or facilities
- Falsely deny that housing is available for inspection, sale or rental
- Make, print or publish any notice, statement or advertisement with respect to the sale or rental of a dwelling that indicates any preference, limitation or discrimination
- Impose different sales prices or rental charges for the sale or rental of a dwelling
- Use different qualification criteria or applications, or sale or rental standards or procedures, such as income standards, application requirements, application fees, credit analyses, sale or rental approval procedures or other requirements
- Evict a tenant or a tenant's guest
- Harass a person
- Fail or delay performance of maintenance or repairs
- Limit privileges, services or facilities of a dwelling
- Discourage the purchase or rental of a dwelling
- Assign a person to a particular building or neighborhood or section of a building or neighborhood
- For profit, persuade, or try to persuade, homeowners to sell their homes by suggesting that people of a particular protected characteristic are about to move into the neighborhood (blockbusting)
- Refuse to provide or discriminate in the terms or conditions of homeowners insurance because of the race, color, religion, sex, disability, familial status, or national origin of the owner and/or occupants of a dwelling

- Deny access to or membership in any multiple listing service or real estate brokers' organization

Fair housing applies to the following actions in mortgage lending because of race, color, religion, sex, disability, familial status, or national origin:

- Refuse to make a mortgage loan or provide other financial assistance for a dwelling
- Refuse to provide information regarding loans
- Impose different terms or conditions on a loan, such as different interest rates, points, or fees
- Discriminate in appraising a dwelling
- Condition the availability of a loan on a person's response to harassment
- Refuse to purchase a loan

In addition, the Fair Housing Act makes it illegal to harass persons because of race, color, religion, sex, disability, familial status, or national origin. Among other things, this forbids sexual harassment. It is considered as illegal discrimination to: threaten, coerce, intimidate or interfere with anyone exercising a fair housing right or assisting others who exercise the right or retaliate against a person who has filed a fair housing complaint or assisted in a fair housing investigation. Housing providers must make reasonable accommodations and allow reasonable modifications that may be necessary to allow persons with disabilities to reside in their housing.

ODOC/CD has an active Uniform Relocation Assistance Plan (URA) plan and process in place if URA were to be triggered by an ODOC/CD activity. URA is federally mandated and ODOC/CD has increased its capacity to administer URA requirements.

In practice, when a tenant is displaced by a CDBG DR activity, relocation case managers are assigned to both owners and tenants work with applicants to coordinate activities and communicate updates in real time concerning when to expect to move out of their residences, assist the displaced individuals with securing temporary housing arrangements, and all other aspects of moving belongings. One of the case manager's primary goals is to minimize the time that the tenant/owner will be impacted by coordinating the construction calendar in real time and during construction, keeping the displaced individual updated on the construction progress and communicating an expected timeline for construction completion and eventual move in.

To ensure accessibility for applicants, ODOC/CD has adopted a Section 504/Americans with Disabilities Act (ADA) policy which ensures the full right to reasonable accommodations by all program participants. Under this policy,

case managers shall assess the specific needs of each program beneficiary and determine if a 504/ADA modification is required based on the family composition members. All public facilities that are federally assisted shall also exceed the minimum threshold for 504/ADA compliance. Multifamily and other housing development programs will also be required to have a certain set-aside of fully compliant 504/ADA units of varying sizes to accommodate eligible applicants. Along with single family programs, the multifamily rental programs will be required to have an architect's/engineer's signature on a form stating that the designed unit meets 504/ADA compliance. Failure to deliver the appropriately constructed ADA/504 compliant unit(s) will result in the construction firm not being paid and in breach of contract until the deficiencies are corrected.

ODOC/CD details a process for monitoring and maintaining Fair Housing, handicapped accessibility, and equal opportunity compliance for all CDBG DR grant fund recipients in its CDBG DR policies and procedures to ensure compliance with this requirement. The CDBG DR Policy and Procedure Manual is available on the CDBG DR disaster recovery website (https://www.okcommerce.gov/reporting-compliance/cdbg-disaster-recovery-2019).

5.6 Uniform Relocation Act

The Uniform Relocation Assistance and Real Property Acquisition Act of 1970 (URA), is a federal law that establishes minimum standards for federally funded programs and projects that require the acquisition of real property (real estate) or displace persons from their homes, businesses, or farms. The URA's protections and assistance apply to the acquisition, rehabilitation, or demolition of real property for federal or federally funded projects. This law was enacted by Congress to ensure that people whose real property is acquired, or who move as a direct result of projects receiving Federal funds, are treated fairly and equitably and receive assistance in moving from the property they occupy.

- 49 CFR Part 24 is the government-wide regulation that implements the URA.
- HUD Handbook 1378 provides HUD policy and guidance on implementing the URA and 49 CFR Part 24 for HUD funded programs and projects.

What are the URA's objectives?

- To provide uniform, fair and equitable treatment of persons whose real property is acquired or who are displaced in connection with federally funded projects
- To ensure relocation assistance is provided to displaced persons to lessen the emotional and financial impact of displacement

- To ensure that no individual or family is displaced unless decent, safe, and sanitary (DSS) housing is available within the displaced person's financial means
- To help improve the housing conditions of displaced persons living in substandard housing
- To encourage and expedite acquisition by agreement and without coercion

How do URA requirements impact your project?

Agencies conducting a program or project under the URA must carry out their legal responsibilities to affected property owners and displaced persons. Agencies should plan accordingly to ensure that adequate time, funding and staffing are available to carry out their responsibilities.

Some of those responsibilities include:

For Real Property Acquisition

- Appraise property before negotiations
- Invite the property owner to accompany the appraiser during the property inspection
- Provide the owner with a written offer of just compensation and a summary of what is being acquired
- Pay for property before possession
- Reimburse expenses resulting from the transfer of title such as recording fees, prepaid real estate taxes, or other expenses

Please note that agency responsibilities for voluntary acquisitions differ. (Please see Voluntary Acquisition vs. Involuntary Acquisition in this training module for additional information.)

For Residential Displacements

- Provide relocation advisory services to displaced tenants and owner occupants
- Provide a minimum 90 days written notice to vacate prior to requiring possession
- Reimburse for moving expenses
- Provide payments for the added cost of renting or purchasing comparable replacement housing

For Nonresidential Displacements (businesses, farms, and nonprofit organizations)

- Provide relocation advisory services
- Provide a minimum 90 days written notice to vacate prior to requiring possession
- Reimburse for moving and reestablishment expenses

ODOC/CD details a process for monitoring and maintaining URA compliance for all CDBG DR grant fund recipients in its CDBG DR policies and procedures to ensure compliance with this requirement. The CDBG DR Policy and

Procedure Manual is available on the CDBG DR disaster recovery website (https://www.okcommerce.gov/reporting-compliance/cdbg-disaster-recovery-2019).

5.7 Lead Based Paint

Congress passed the Residential Lead-Based Paint Hazard Reduction Act of 1992, also known as Title X, to protect families from exposure to lead from paint, dust, and soil. Title X Regulations (Residential Lead-Based Paint Hazard Reduction Act).

- Public Law 102-550 - Residential Lead-based Paint Hazard Reduction Act of 1992
- Title X, Sections 1012 and 1013 - Requirements for the Notification, Evaluation, and Reduction of Lead-Based Paint Hazards in Federally Owned Residential Property and Housing Receiving Federal Assistance.
- Title X, Section 1018 - Requirements for the Disclosure of Known Lead-Based Paint and/or Lead-Based Paint Hazards in Housing (HUD's Lead-Based Paint Disclosure Rule web site has more information)Congress passed the Residential Lead-Based Paint Hazard Reduction Act of 1992, also known as Title X, to protect families from exposure to lead from paint, dust, and soil.

On April 22, 2008, EPA issued a rule requiring the use of lead-safe practices and other actions aimed at preventing lead poisoning. Under the rule, beginning in April 2010, contractors performing renovation, repair and painting projects that disturb lead-based paint in homes, child care facilities, and schools built before 1978 must be certified and must follow specific work practices to prevent lead contamination. Until that time, HUD and EPA recommend that anyone performing renovation, repair, and painting projects that disturb lead-based paint in pre-1978 homes, child care facilities and schools follow lead-safe work practices.

Effective Dates of the Rule:

June 23, 2008	Unaccredited renovator or dust sampling technician training programs may not advertise or provide training leading to EPA certification States, Tribes, and Territories may begin to apply for authorization Persons performing renovations for compensation in pre-1978 child-occupied facilities (e.g., child care facilities, kindergarten and pre-kindergarten classrooms) must provide **either** Protect Your Family **or** Renovate Right to the owners and occupants before beginning renovations Modifications/exemptions to Pre-renovation Education Rule take effect: (1) Minor repair and maintenance exception changes to < 6 ft2 per room for interiors, 20 ft2 for exteriors. To qualify, the project cannot involve the use of high dust generating ('prohibited') practices or window replacement. (2) Emergency renovations specifically include interim controls performed in response to an elevated blood lead level in a child. (3) Persons performing renovations for compensation in pre-1978 housing **may use either** Protect Your Family **or** Renovate Right to comply with the existing requirement to provide a lead hazard information pamphlet to the owners and occupants of target (pre-1978) housing before beginning renovations
December 22, 2008	Persons performing renovations for compensation in target (pre-1978) housing or child-occupied facilities **must provide** Renovate Right to the owners and occupants before beginning renovations
April 22, 2009	Training providers may begin applying to EPA for accreditation to provide renovator or dust sampling technician training Persons seeking certification as renovators or dust sampling technicians may take accredited training as soon as it is available
October 22, 2009	Firms may begin applying to EPA for certification to conduct renovations
April 22, 2010	Renovations in target (pre-1978) housing and child-occupied facilities must be conducted by certified renovation firms, using renovators with accredited training, and following the work practice requirements of the rule

On January 13, 2017, HUD published an amendment to the Lead Safe Housing Rule on responding promptly to cases of children under age 6 living in certain categories of HUD-assisted housing who have elevated blood lead levels. The Lead Safe Housing Rule applies to all target housing that is federally owned and target housing receiving Federal assistance. Specific requirements depend on whether the housing is being disposed of or assisted by the federal government, and also on the type and amount of financial assistance, the age of the structure, and whether the dwelling is rental or owner-occupied. You can consult the summary of requirements for specific information or you can view which HUD Assisted Housing Programs are affected by the Lead Safe Housing Rule. There are some differences between the EPA RRP Rule and the HUD Lead Safe Housing Rule (LSHR). A major difference is that the LSHR requires clearance examinations. All housing receiving federal assistance must still comply with the LSHR.

ODOC/CD details a process for monitoring and maintaining lead based paint compliance for all CDBG DR grant fund recipients in its CDBG DR policies and procedures to ensure compliance with this requirement. The CDBG DR Policy and Procedure Manual is available on the CDBG DR disaster recovery website (https://www.okcommerce.gov/reporting-compliance/cdbg-disaster-recovery-2019).

5.8 Elevation Requirements

ODOC/CD will establish project-by-project reasonableness requirements when comparing elevation to other mitigation measures, such as buyout and acquisition or demolition and reconstruction of the structure. The method for determining cost reasonableness for elevation assistance is outlined in the Policy and Procedure Manual. The elevation assistance maximum for rehabilitation awards is a dollar- per-square foot ($/SF) cap and constrained to the actual cost of elevation. Elevation assistance costs are in addition to the program cap for rehabilitation, reconstruction, and Mobile/Modular Home Unit (MHU) replacement activities.

ODOC/CD requires that new construction, reconstruction, or substantially damaged residential structures are elevated two feet or more above the base flood elevation (BFE) or high water mark if outside the floodplain. For new construction or reconstruction using CDBG DR funds, ODOC/CD will remain consistent with this requirement and depending on the facts and circumstances of the construction project, may require additional freeboard or other mitigation technique to ensure that new construction is sufficiently protected from future flood risk.

Nonresidential structures must be elevated or flood proofed to two feet above the BFE. Critical Actions, as defined at 24 CFR Part 55.2(b)(3), within the 500 year floodplain must be elevated or flood proofed to the higher of the 500-year floodplain elevation or three feet above the 100- year floodplain elevation. If the 500-year floodplain or elevation is unavailable, and the Critical Action is in the 100-year floodplain, then the structure must be elevated or flood proofed at least three feet above the 100-year floodplain elevation.

Critical Actions are defined as an ''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, police stations, fire stations and principal utility lines.

5.9 Flood Insurance Requirements

New requirements from HUD prohibit ODOC/CD from providing CDBG DR assistance for the rehabilitation or reconstruction of a house if (a) the combined household income is greater than 120 percent area median income (AMI) or the national median, (b) the property was located in a floodplain at the time of the disaster, and (c) the property owner did not maintain flood insurance on the damaged property, even when the property owner was not required to obtain and maintain such insurance.

When a homeowner located in the floodplain allows their flood insurance policy to lapse, it is assumed that the homeowner is unable to afford insurance and/or is accepting responsibility for future flood damage to the home. HUD established this alternative requirement to ensure that adequate recovery resources are available to assist lower income homeowners who reside in a floodplain but who are unlikely to be able to afford flood insurance. Higher income homeowners who reside in a floodplain, but who failed to secure or decided to not maintain their flood insurance, should not be assisted at the expense of those lower income households. Therefore, ODOC/CD may only provide assistance for the rehabilitation or reconstruction of a house located in a floodplain if: (a) the homeowner had flood insurance at the time of the eligible disaster and still has unmet recovery needs; or (b) the household earns less than the greater of 120 percent AMI or the national median and has unmet recovery needs.

With respect to flood insurance, CDBG DR funded homeowners of a property located in a Special Flood Hazard Area (SFHA) must obtain and maintain flood insurance in the amount and for the duration prescribed in FEMA's National Flood Insurance Program. Section 102(a) of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a) mandates the purchase of flood insurance protection for CDBG DR (a HUD-assisted property) within a SFHA, when

CDBG DR is used to finance acquisition or construction, including rehabilitation. ODOC/CD will encourage the purchase of flood insurance outside of SFHA's, but carrying flood insurance outside of SFHA's is not a requirement.

Section 582 of the National Flood Insurance Reform Act of 1994, as amended, (42 U.S.C. 5154a) prohibits flood disaster assistance in certain circumstances. In general, it provides that no Federal disaster relief assistance made available in a flood disaster area may be used to make a payment (including any loan assistance payment) to a person for "repair, replacement, or restoration" for damage to any personal, residential, or commercial property if that person at any time has received Federal flood disaster assistance that was conditioned on the person first having obtained flood insurance under applicable Federal law and the person has subsequently failed to obtain and maintain flood insurance as required under applicable Federal law on such property. This means that CDBG DR assistance may not be provided for the repair, replacement, or restoration of a property to a person who has failed to meet this requirement.

Section 582 also imposes a responsibility on ODOC/CD and its sub-recipients to inform property owners receiving assistance that triggers the flood insurance purchase requirement that they have a statutory responsibility to notify any transferee of the requirement to obtain and maintain flood insurance in writing and to maintain such written notification in the documents evidencing the transfer of the property, and that the transferring owner may be liable if he or she fails to do so.

According to federal regulations mandated under the National Flood Insurance Reform Act (NFIRA) of 1994, buildings and property which utilized financial assistance from the Federal Government following a Presidentially Declared disaster may have been required to have and maintain flood insurance coverage. In the event that flood insurance lapsed or was no longer in effect at the time of the disaster impact, the owner of the building and/or property may not be eligible for additional federal assistance for rehabilitation or reconstruction.

ODOC/CD details a process for checking flood insurance compliance for CDBG DR grant fund recipients in its policies and procedures to ensure compliance with this requirement. The CDBG DR Policy and Procedure Manual is available on the CDBG DR disaster recovery website (https://www.okcommerce.gov/reporting-compliance/cdbg-disaster-recovery-2019).

5.10 Green Building Standards

ODOC/CD acknowledges the emphasis in the Notice to institute green building design, specifically when executing new construction or replacement of substantially damaged residential buildings and will follow the guidance located in 84 FR 4844 concerning green building design. Rather than be limited by a single green building design technique, ODOC/CD will require that new construction meet the best fit for new construction from many possible approaches. For all new or replaced residential buildings, the project scope will incorporate Green Building materials to the extent feasible according to specific project scope. Materials must meet established industry-recognized standard that have achieved certification under at least one of the following programs:

- ENERGY STAR (Certified Homes or Multifamily High-Rise).
- Enterprise Green Communities.
- LEED (New Construction, Homes, Midrise, Existing Buildings Operations and Maintenance, or Neighborhood Development).
- ICC-700 National Green Building Standard,
- EPA Indoor AirPlus (ENERGY STAR a prerequisite).
- Any other equivalent comprehensive green building program.

Green Initiative: Projects (as applicable) designed to meet the Green Communities Initiative Criteria created by the Enterprise Community Partners. Contractors are encouraged to follow the "Green Communities Initiative" listed:

- All particleboard components shall meet ANSI A208.1 for formaldehyde emission limits or all exposed particleboard edges shall be sealed with a low Volatile Organic Compounds (VOC) sealant or have a factory applied low VOC sealant prior to installation. All MDF edges shall meet ANSI A208.2 for formaldehyde emission limits or all exposed particleboard edges shall be sealed with a low VOC sealant or have a factory applied low VOC sealant prior to installation.

- Recycle all cardboard generated by construction to the local recycling plant. Recycle all removed metals (copper, iron, tin, aluminum, etc.) to a local recycling plant.

In terms of complying with the Green Building Standard established in the Federal Register Notice, the State will require that replacement of residential properties, including reconstruction and new construction of substantially damaged properties meet and be certified under the Enterprise Green Communities Criteria.

For those buildings that are non-substantially damaged, the State will require that they be rehabilitated following the HUD CPD Green Buildings Retrofit Checklist. The requirement for rehabilitation means that the developer

and/or construction team will strive to meet the checklist standard to the extent that there are Energy Star, Water Sense and Federal Energy Management Program designated products available. The State recognizes that most energy and water consuming appliances and products now are available with these designations, and therefore, acknowledges that in a rehabilitation situation most products will be available with conservation designations.

While the standards noted above are for the bricks and mortar aspects of replacing damaged residential properties, the State will also encourage the use of green infrastructure techniques to mitigate against storm water run-off and flooding when repairing or replacing damaged infrastructure.

Green Infrastructure: All projects (as applicable) will incorporate green infrastructure in such a way to reduce overall impact on environment and human health by as it specifically relates to the type and scope the of requested CDBG DR project.

Green Building, also known as green construction or sustainable building, is the practice of creating structures and using processes that are environmentally responsible and resource-efficient throughout a building's life-cycle: from siting to design, construction, operation, maintenance, renovation, and deconstruction.

Green Streets: Green streets can incorporate a wide variety of design elements including street trees, permeable pavements, bio-retention, and swales. Although the design and appearance of green streets will vary, the functional goals are the same: provide source control of stormwater, limit its transport and pollutant conveyance to the collection system, restore predevelopment hydrology to the extent possible, and provide environmentally enhanced roads. Successful application of green techniques will encourage soil and vegetation contact and infiltration and retention of stormwater.

5.11 Duplication of Benefits

HUD has instituted specific reporting, written procedures, monitoring, and internal audit requirements for each grantee to ensure compliance with program rules for CDBG disaster recovery awards, including rules related to prevention of fraud, abuse, and duplication of benefits. Two authorities form the foundation of duplication of benefit inquiries—the Stafford Act and applicable ‘‘necessary and reasonable cost principles in 24 CFR part 570 and in OMB Cost Circulars (codified in title 2 of the Code of Federal Regulations). Supplemental appropriations statutes often reinforce and supplement these authorities.

The Stafford Act directs administrators of Federal assistance to ensure that no ''person, business concern or other entity'' will receive duplicative assistance and imposes liability ''to the extent such assistance duplicates the benefits available to the person for the same purpose from another source.'' 42 U.S.C. 5155(a). Specifically, section 312 of the Stafford Act prohibits any person, business concern, or other entity from receiving ''any part of such loss as to which he has received financial assistance under any other program or from insurance or any other source.'' 42 U.S.C. 5155(a). Duplication occurs when a beneficiary receives assistance from multiple sources for a cumulative amount that exceeds the total need for a particular recovery purpose. The amount of the duplication is the amount of assistance provided in excess of need. The Stafford Act requires a fact specific inquiry into assistance received by each person, household, or entity. A grantee may not make a blanket determination that a duplication of benefits does not exist for all beneficiaries or recipients under a disaster recovery program. As a result, all disaster recovery funds must be governed by policies and procedures to prevent duplication of benefits.

Duplication of Benefits – State Solicitation

In order to prevent DOB, the State will procure a competitively qualified vendor to implement CDBG DR DOB procedures. The competitively awarded vendor will perform a basic calculation known as the Housing Assistance Award Calculation which is completed by: (1) Determining each applicant's remaining recovery need; and then (2) Reducing that remaining recovery need by previously received funding for housing recovery, if any (less amounts expended on Allowable Activities). This activity will be monitored for accuracy and completeness by ODOC/CD. The competitively qualified vendor will establish a database for the collection of data on each resident/client receiving any portion of the Funding and will implement the following framework for determining and preventing Duplication of Benefits in its CDBG DR Program:

1. Assessment of need prior to assistance. The State will first determine the applicant's total post disaster need in the absence of any duplicative benefits or program caps. For housing and infrastructure programs, the State will require an applicant to obtain professional construction cost estimates on all projects seeking assistance.
2. Total assistance available to the person or entity. Assistance includes all benefits available to a funding recipient; including cash and other resources such as insurance proceeds, grants, and SBA loans (private loans not guaranteed by SBA are exceptions and will not be included in accordance with guidance from HUD). ODOC/CD through its Grants Administration staff will identify all assistance received by each person, business concern, or other entity, via insurance, FEMA, SBA, other local, state, or federal programs, and private or nonprofit charity organizations. The

homeowner, business and/or Unit of Local Government (ULG) will be required to sign a "Consent and Release Form". This form will allow ODOC/CD to share all of the owner information and all owner non-public personal information with agencies and companies in order to process the application of CDBG DR funds. Each form only allows the sharing of information required for completing the duplication of benefits check. In addition, each applicant for CDBG DR funds will be required to complete an "Insurance and Other Fund Sources Affidavit". This form will be used to collect information on assistance received by the homeowner and/or entity for the same purpose.

3. The State's competitively qualified vendor will identify reasonably anticipated assistance, such as future insurance claims or approved SBA loan proceeds. Reasonably anticipated funds include assistance that has been awarded, but has not yet been received. This information will be entered in the database for calculation of the CDBG DR unmet need. To address any potential duplication, beneficiaries will be required to sign a "Subrogation and Assignment Agreement" to repay any assistance later received for the same purpose as the CDBG DR funds. The signing of this document ensures that if the applicant receives additional funds, the applicant pays ODOC/CD back enough to prevent any duplication of benefit. This also ensures that CDBG DR funds are not being used to cover losses already covered by "any other source". (Ref. Sec. 312. Duplication of Benefits (42 U.S.C. 5155) The State will identify a method in its administrative manual for the CDBG DR Program to monitor compliance with the agreement for a reasonable period subsequent to close out of the project.

Once the potential award is determined and the total assistance received, or to be received, the following assistance will be excluded for duplication of benefit purposes: (1) assistance provided for a different purpose; (2) used for a different, eligible purpose; (3) not available to the applicant; (4) private loan not guaranteed by SBA; or (5) any other asset or line of credit available to the applicant. However, the State will take into consideration that funding for the repair, replacement, rehabilitation, or new construction of public facilities or improvements could potentially involve a duplication of benefits. The owner of these facilities must be able to address whether other sources of funds are available for that same purpose and for that specific project because funds used directly by State and other government entities for public facilities or other purposes are also subject to the duplication of benefits prohibitions under the Stafford Act.

The Oklahoma Department of Commerce (ODOC/CD) working through the Oklahoma Office of Management & Enterprise Services (OMES) will invite the submission of a Statement of Qualifications to provide Duplication of Benefits analysis and verification services including the execution of Subrogation Agreements for the Community Development Block Grant Disaster Recovery program (CDBG DR). Duplication of Benefit requirements are prescribed by Section 312 of the Robert T. Stafford Disaster Assistance and Emergency Relief Act (42 U.S.C 5155). A copy of the Amendment of Solicitation will be placed on ODOC/CD's Disaster Recovery website found at: https://www.okcommerce.gov/reporting-compliance/cdbg-disaster-recovery-2019/.

Duplication of Benefits – ODOC/CD Oversight and Contractor Responsibility

Substantial and meaningful involvement of the project lead of the Department is critical to the success of this engagement. The Department shall be responsible for ensuring that the identified Department personnel actively participate in both the planning and execution of the DOB engagement.

Summary:

- The DOB consultant will not make any management decisions, perform any management functions, or assume any management responsibilities.
- Deliverables provided to ODOC/CD by the Advisor may be disclosed by the Department to the Department only for their informational purposes and solely in their capacity as Leadership of the Department.
- Deliverables provided to the Department hereunder by Advisor may be disclosed by the Department to the Department's independent accountants to the extent required solely in connection with their audit of the Department's financial statements.
- The Advisor will retain copies of the deliverables and any information evidencing Advisor's performance of the Services hereunder and any Department confidential information contained in such retained materials shall remain subject to our confidentiality obligations set forth in the General Business Terms.
- The services will not constitute an engagement to provide audit, compilation, review, or attestation services as described in the pronouncements on professional standards issued by the American Institute of Certified Public Accountants, the Public Department Accounting Oversight Board, or other regulatory body and, therefore, DOB consultant will not express an opinion or any other form of assurance as a result of performing the Services.

During the term of this engagement, ODOC/CD may request that Advisor perform additional services that are not encompassed by the DOB engagement letter. The Advisor may perform such additional services upon receipt of a separate signed engagement letter with terms and conditions that are acceptable to Advisor and the Department.

ODOC/CD shall cooperate with DOB consultant advisory in the performance of the services, including providing DOB consultant advisory with reasonable facilities and timely access to data, information, and personnel. ODOC/CD shall be solely responsible for, among other things (a) the performance of its personnel and agents; (b) the accuracy and completeness of all data and information provided to DOB consultant Advisory for purposes of the performance of the Services; (c) making all management decisions, performing all management functions, and assuming all management responsibilities; (d) designating a competent management member to oversee the Services; (e) evaluating the adequacy and results of the services; (f) accepting responsibility for the results of the services; and (g) establishing and maintaining internal controls, including monitoring ongoing activities. DOB consultant advisory shall be entitled to rely on all decisions and approvals of ODOC/CD.

Duplication of Benefits - Subrogation Agreement

All respective CDBG DR awardees will be required to enter into a "Subrogation Agreement" with the Oklahoma Department of Commerce in order to provide for the repayment of CDBG DR funds.

Duplication of Benefits Check

In accordance with the Robert T. Stafford Disaster Relief and Emergency Assistance Act, (42 U.S.C. §§ 5121 - 5207), applicants must disclose all financial assistance awarded and/or received in response to their storm-related damage, including the following sources:

- Federal Emergency Management Agency (FEMA)
- National Flood Insurance Program (NFIP) and Increased Cost of Compliance (ICC)
- Small Business Administration (SBA)
- Private insurance
- Private or nonprofit organizations or donations
- Disaster Recovery Act (DRA) funding
- Other state, local, or federal programs

More specifically, the following are sources of funding assistance provided for structural damage and loss that are considered a duplication of benefits and, under federal law, must be deducted from any grant assistance amount.

Basic Duplication of Benefit Framework Calculation

Basic Framework for Calculating CDBG DR Duplication of Benefits	
1. Identify Applicant's Total Need Prior to Any Assistance	$100,000
2. Identify All Potentially Duplicative Assistance	35,000
3. Deduct Assistance Determined to be Duplicative	30,000
4. Maximum Eligible Award (Item 1 less Item 3)	70,000
5. Program Cap (if applicable)	50,000
Final Award (lesser of Items 4 and 5)	**50,000**

Duplication of Benefits - FEMA Individual Assistance (IA)

FEMA Individual Assistance (IA) will be determined and verified by the Program through the FEMA NEMIS database. If the Program is unable to verify the FEMA IA amount through the FEMA NEMIS database, it will use the payment amount disclosed by the applicant at the time of application. If an applicant can provide documentation demonstrating that the FEMA IA amount provided by the FEMA NEMIS database includes amounts not paid to cover structural loss, the Program will use the documentation provided by the applicant to adjust the FEMA IA payout amount. The documentation provided by the applicant must come from FEMA.

Duplication of Benefits - FEMA National Flood Insurance Program (NFIP) and Increased Cost of Compliance (ICC)

The Program will collect NFIP flood insurance and Increased Cost of Compliance (ICC) payment information from the applicant through the application process. In addition, the Program will work directly with NFIP to verify the information provided by the applicant.

Exception: Insurance proceeds taken by a mortgage company as a forced mortgage payoff will not be counted as a duplication of benefits, as long as documentation from the mortgage company shows that the payoff was involuntary. The applicant will need to provide supporting documentation demonstrating that the mortgage payment was involuntary, and the Program will attempt to verify this information with the applicant's mortgage company. Voluntary mortgage payoff using insurance proceeds is a duplication of benefits that will be counted against an applicant's award.

Duplication of Benefits - Small Business Administration (SBA) Loans

Federal regulations deem SBA loans for repair to be a duplication of benefit for federally funded repair programs, unless a waiver request is approved in accordance with the provisions of the Disaster Recovery Reform Act (H.R. 302 signed into law in October 2018). ODOC/CD will obtain a data feed provided by SBA to verify all approved amounts for SBA loans. The Program will collect specific information from SBA that breaks out the approved SBA loan amounts into the different categories of assistance (e.g., real property, personal property, vehicles, etc.).

Duplication of benefit analysis for SBA loans shall follow the approved ODOC/CD SBA Duplication of Benefits Policy as summarized below. As part of this policy, ODOC/CD has adopted HUD's SBA DOB Guidance issued on November 16, 2011 for applicants who accepted all or a portion of an SBA loan and the July 25, 2013 Guidance related to applicants who declined an SBA loan.

If the homeowner received only a portion of SBA assistance, the full amount of the approved loan must be deducted as a duplication of benefits (DOB).

Duplication of Benefits - Private Insurance

All property or casualty insurance, including flood and settlement amounts for loss to dwellings, are deducted from the applicant's funding assistance award. Private insurance payments for contents or other expenses are not deducted from the applicant's award. Insurance proceeds are initially determined by the Program through applicant-provided information. Applicants must also authorize the ODOC/CD to contact third-party private insurance providers to verify information provided by the applicants. Third-party re-verification will only occur if the applicant self-certifies that a claim has been filed and the applicant is unable to provide a claim summary.

Exception: Insurance proceeds taken by a mortgage company as a forced mortgage payoff will not be counted as a duplication of benefits, as long as the applicant provides adequate documentation. The applicant will need to provide supporting documentation demonstrating that the mortgage payment was involuntary, and the Program will attempt to verify this information with the applicant's mortgage company. Voluntary mortgage payoff using insurance proceeds is a duplication of benefits that will be counted against an applicant's award.

Duplication of Benefits - Other Assistance

Assistance received for the same purpose of a housing recovery grant, such as funding provided by a non-profit entity to assist applicants with rebuilding their home, must be reported by applicants through the application process and must be accounted for and verified by the Program. In addition, support documentation related to other duplicative funding sources must be provided by the applicant and verified and applied as a duplication of benefits by the Program.

5.12 Affordability Requirements

In 83 FR 40314, HUD clarified affordability requirements for new construction and rehabilitation of units. ODOC/CD will require these affordability requirements for new construction for home ownership, rehabilitation

or reconstruction of multi-family rental projects with eight or more units, and new construction of multi-family projects with five or more units.

Affordability Periods

Project Type	Use	Affordability Period
New construction of single-family housing for LMI individuals and households	Ownership	5 years
Rehabilitation or Reconstruction of multi-family projects, 8 or more units	Rental	15 years
New construction of multi-family projects, 5 or more units	Rental	20 years

Rental units subject to these affordability requirements must be rented to LMI individuals and families at affordable rents. Rental units that are rehabilitated or reconstructed with fewer than eight units, and rental units that are newly constructed with fewer than five units are not subject to these affordability requirements, although alternative requirements may be enforced by match funds or as a condition of participation in the Affordable Housing Development Fund. ODOC/CD will require a five-year affordability period on units served through the Small Rental Repair Program, which serves one to four unit properties. Affordability periods do not otherwise apply to rehabilitation or reconstruction of single-family property.

ODOC/CD will ensure that affordability requirements are enforced through deed restriction, covenant, or similar mechanism dependent on the type and scope of the funded project. Recapture terms of granted or loaned funds for projects subject to these affordability requirements will be provided to the applicant to the program prior to construction start. ODOC/CD or a selected sub-recipient will be charged with ensuring that resale and recapture provisions for each funded project subject to these requirements are followed during project execution. The recapture provisions will be specific to each funded project, but at a minimum ODOC/CD will:

- Enforce recapture of grant or loan funds if the affordability period is determined to be broken.
- Perform occasional site monitoring or subgrant monitoring responsibilities to sub-recipients to ensure compliance.
- Place specific recapture provisions in deed restrictions, covenants, liens, or other mechanisms so that a change of use or ownership may require repayment of funds.

ODOC/CD or its sub-recipients will review the facts and circumstances of items triggering recapture, such as a change of ownership or sale, and determine if the deficiency can be cured prior to initiating funds recapture.

ODOC/CD details a process for monitoring and maintaining affordability compliance for all CDBG DR grant fund recipients in its CDBG DR policies and procedures to ensure compliance with this requirement. The CDBG DR Policy and Procedure Manual is available on the CDBG DR disaster recovery website (https://www.okcommerce.gov/reporting-compliance/cdbg-disaster-recovery-2019).

5.13 LMI Priority

ODOC/CD is committed to serving the low and moderate-income (LMI) population of the impacted areas of the State covered under DR 4438. As addressed in the Federal Register Notice, a minimum of 70 percent of all allocated funds must be used to the benefit of low and moderate-income individuals and households. Therefore, the affordable housing components, public facility and public improvements of the CDBG DR allocation remain 100 percent allocated to the benefit of LMI individuals and households. This is to ensure that ODOC/CD is able to meet this program goal.

LMA (Low/mod area benefit): Activities providing benefits that are available to all the residents of a particular area, at least 51 percent of whom are low and moderate-income. The service area of an LMA activity is identified by the area in which the beneficiaries are served by the associated eligible CDBG DR activity.

The HUD National Objective LMI criteria for CDBG DR include the following:

- LMC (Low/mod limited clientele). Activities which benefit specific low and moderate-income individuals. LMC activities provide benefits to a specific group of persons rather than to all residents of a particular area.
- LMH (Low/Mod housing benefit). Activities undertaken which improve or provide permanent residential structures that will be occupied by low/mod income households.
- LMB (Low/Mod Buyout). Set by HUD in 82 FR 36825 to allow for meeting a National Objective when CDBG DR funds are used for a buyout award to acquire housing owned by a qualifying LMI household, where the award amount (including optional relocation assistance) is greater than the post-disaster (current) fair market value of that property.

- LMHI (Low/Mod Housing Incentive). Set by HUD in 82 FR 36825 to allow for meeting a National Objective when CDBG DR funds are used for a housing incentive award, tied to the voluntary buyout or other voluntary acquisition of housing owned by a qualifying LMI household, for which the housing incentive is for the purpose of moving outside of the affected floodplain or to a lower-risk area; or when the housing incentive is for the purpose of providing or improving residential structures that, upon completion, will be occupied by an LMI household.

5.14 Compliance and Monitoring

As part of the State's ongoing responsibilities for the administration of HUD's federally funded programs, ODOC will conduct comprehensive monitoring reviews for all sub-grantees and their associated activities. The CDBG DR funding must be used in accordance with the Federal Register Notice, which provides the regulatory framework established by HUD for the CDBG DR Program and the CDBG DR funding.

The Oklahoma Department of Commerce is required to have oversight of an internal auditor. In addition, ODOC/CD also utilizes its own system of internal controls to identify issues with transactions. Should the internal controls identify and area of concern, we would discuss the transaction with any parties involved to obtain additional information or clarification. If the additional information did not resolve the issue, the matter would be sent to the ODOC Chief of Staff and/or the Secretary of Commerce for resolution. ODOC retains an independent accounting firm to perform our annual and single audits. At times, ODOC consults with our external auditors when issues arise.

Program monitoring will follow the procedures described in the CDBG DR Policy & Procedures Manual located on ODOC/CD's dedicated CDBG DR website (https://www.okcommerce.gov/reporting-compliance/cdbg-disaster-recovery-2019/) with a particular emphasis on the accuracy of information provided by applicants, identification of the duplication of benefits, compliance with all applicable state and federal requirements associated with the CDBG DR funding. Specifically, ODOC/CD will conduct a risk analysis on all recipients of any portion of the CDBG DR funding in order to identify those programs that are most susceptible to fraud, abuse, or mismanagement. ODOC/CD staff and/or qualified procured vendor will monitor those programs that are identified as high risk as well as sample those deemed to be low risk programs.

On-site monitoring will be used to ensure the proper expenditure and management of funds. Monitoring will consist of an in-depth review of their financial and programmatic compliance of the ODOC/CD Block Grant-Disaster Recovery program to ensure full CDBG compliance with Federal Register Notice.

Risk analysis, conducted by the staff of the ODOC/CD and/or qualified procured vendor, will pay special attention to Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 USC 5155 by guaranteeing that there will not be a "duplication of benefits."

The goal of this attention is to ensure that the State does not engage in any activity that provides federal financial assistance to persons, business concerns, or other entities suffering losses as a result of a major disaster or emergency, where such person, business concern, or other entity will receive such assistance with respect to any part of such loss as to which he or she has received financial assistance under any other program or from insurance or any other source.

ODOC/CD details a process for monitoring compliance for all CDBG DR grant fund recipients in its CDBG DR policies and procedures to ensure compliance with this requirement. The CDBG DR Policy and Procedure Manual is available on the CDBG DR disaster recovery website (https://www.okcommerce.gov/reporting-compliance/cdbg-disaster-recovery-2019).

5.15 Program Income

Program Income is the amount of revenue received in a single program year which is greater than or equal to $35,000. The State will provide grants within several components of the CDBG DR program. As applicable to housing and public facilities, liens will be filed on each property to ensure compliance requirements, with recapture of all or a portion of the grant in the event of any noncompliance during that period. The State does not intend to fund revenue generating activities as part of its administration of the funding. In the event that any program income is generated in connection with a sub-grantee's administration of the CDBG DR funding, such funds will remain with the sub-grantee and expended under the method of distribution annotated within the Action Plan. If the sub-grantee cannot successfully fulfill this program income obligation, the State will assume the program income and reallocate the funds based on its then current method of distribution as described in the applicable Action Plan.

Program Income that has been derived from the CDBG DR activities may be used only for eligible CDBG Program activities and in accordance with the provisions of Title I of the Housing and Community Development Act of 1974, as amended, 24 CFR Part 570.489(e), and the program income guidelines of the ODOC/CD CDBG DR Policy & Procedure Manual. Program Income is defined as gross income received by a recipient (or sub recipient) that has been directly generated from the use of Small Cities Program funds, and includes the following:

- Payments of principal and interest (including late fees) on loans made using CDBG DR funds. For any loan that was partially funded with CDBG DR Program funds, program income is only the prorated portion of the income that reflects the actual percentage of CDBG DR participation. For example, if a loan was made with 50% local funds and 50% CDBG DR funds and a $100 payment is received, $50 would be CDBG DR program income;

- Interest earned on program income pending disposition of same, but excluding interest earned on funds held in a revolving fund account;

- Net proceeds from the disposition by sale or long-term lease of real property purchased or improved with CDBG DR Program funds;

- Proceeds from the disposition of equipment purchased with CDBG DR Program funds;

- Gross income from the use or rental of real or personal property acquired by a State, a unit of general local government; a tribe or sub recipient of a State or a sub recipient of a unit of general local government or tribe with CDBG DR Program funds; less the costs incidental to the generation of the income (i.e. net income);

- Net income from the use or rental of real property owned by a State, a unit of general local government, or tribe or a sub recipient of a unit of general local government or State or tribe, that was constructed or improved with CDBG DR Program funds; less the costs incidental to the generation of the income;

- Proceeds from the sale of liens made with CDBG DR Program funds;

- Proceeds from the sale of obligations secured by liens made with CDBG DR Program funds;

- Funds collected through special assessments made against properties owned and occupied by households not low-and moderate-income, where the special assessments are used to recover all or part of the CDBG DR Program portion of a public improvement; and

- Gross income paid to a State, Unit of Local Government, tribe, or paid to a sub recipient thereof from the ownership interest in a for-profit entity in which the income is returned for the provision of CDBG DR assistance.

ODOC/CD details a process for monitoring and maintaining program income compliance for all CDBG DR grant fund recipients in its CDBG DR policies and procedures to ensure compliance with this requirement. The CDBG DR

Policy and Procedure Manual is available on the CDBG DR disaster recovery website (https://www.okcommerce.gov/reporting-compliance/cdbg-disaster-recovery-2019).

5.16 Citizen Participation

Under in Federal Register Notice (Vol. 78, No. 43, Page 14329 Public Law 116-20), "Each grantee must publish the action plan in a manner that affords citizens, affected local governments, and other interested parties a reasonable opportunity to examine the contents and provide feedback." The State has an adopted Citizen Participation Plan as required by HUD in its Five Year Consolidated Plan/Annual Action Plan. The plan(s) provide citizens with information on how they can participate in HUD's formula funded CDBG program as well as the HOME, ESG, HTF, and HOPWA Programs. Upon notification that the State would receive a CDBG DR grant allocation, the State has adopted this Citizen Participation Plan and modified it for this CDBG DR Action Plan in accordance with the guidance set forth in the Federal Register Notice(s).

A chronology of citizen participation related events were conducted as part of the State's CDBG Disaster Recovery Action Plan is as follows.

- **CDBG DR Needs Assessment Surveys: Emailed February 21, 2020**

  Emails were sent by ODOC/CD to Substate Planning Districts and eligible counties within the qualifying disaster zone requesting CDBG DR disaster related information. This was an informal outreach in order to gain preliminary insight and data to augment FEMA, SBA, and Oklahoma Emergency Management data and reports. Again, this data was not meant to replace official data or official citizen outreach but provide some additional insight into the general unmet needs still remaining at the macro level.

  The email read as follows:

  As you may know, the Oklahoma Department of Commerce is scheduled to receive more than $36 million of *Community Development Block Grant (CDBG) funds from HUD for the purposes of disaster recovery, specifically to address damage that occurred as a result of the Presidentially declared disasters in 2019, FEMA code DR-4438.*

  The Oklahoma Department of Commerce will be drafting a state plan for the use of the forthcoming CDBG Disaster Recovery funds. ***The primary counties that are eligible to apply for these funds include: Muskogee, Tulsa and Sequoyah****. All other eligible counties include: Alfalfa, Canadian, Cherokee, Craig, Creek, Delaware, Garfield, Kay, Kingfisher, Le Flore, Logan, Mayes, Noble, Nowata, Okmulgee, Osage, Ottawa, Pawnee, Payne, Pottawatomie, Rogers, Wagoner, Washington and Woods.*

  This message is to request your input in shaping that plan.

This immediate opportunity to provide input into the draft state plan will not replace the official public input process required by HUD. That public input process will be formally announced and facilitated at a later date.

For now, our office would like the following information from you.

Does your entity (city, town, county, COG, etc.) intend to apply for CDBG DR funds?

If so, list all of the types of projects you intend to apply for (e.g. housing buyouts; housing demolition, housing construction, housing rehab; public infrastructure; etc.).

For each type of project listed above, provide an estimated cost to address the unmet need.

For each type of project listed above, provide the estimated number of low to moderate income (LMI) beneficiaries who will benefit.

This information should be shared with the local government within the eligible counties listed above. Please have all information returned to Linda Goode at linda.goode@okcommerce.gov by close of business on March 13, 2020.

- June 29, 2020 - The CDBG DR Public Hearing Notice was sent to ODOC Marketing for webpage and public media dissemination.
- July 10, 2020 - the Draft CDBG DR Action Plan was posted to the CDBG DR webpage for public review.
- **July 23, 2020 - Public Hearing (Formal): July 23, 2020, (1:00) via Zoom. Proposed CDBG DR Action Plan Overview / Comments**

  Notification was posted on State's CDBG Disaster Recovery webpage located on ODOC's dedicated CDBG DR website (https://www.okcommerce.gov/reporting-compliance/cdbg-disaster-recovery-2019/). A meeting notification and program narrative was also posted on the ODOC/CD website's *EVENTS* webpage as well. The Public Hearing notice was also listed in the monthly ODOC *New Pioneer* Newsletter. ODOC's outreach also extends to Facebook and Twitter as well. The announcement also contained contact information for interested individuals who desired more direct discussion via telephone or contact via email.

  NOTE: During the course of the CDBG DR Program development phase, the State of Oklahoma was under a state of emergency due to the Corona Virus pandemic. During which, the State amended the Oklahoma Open Meetings Act to fully include teleconferencing as a State sanctioned meeting alternative. Senate Bill 661, signed by the Governor, temporarily amends the Oklahoma Open Meetings Act in order to allow boards, commissions and other groups the flexibility to conduct meetings by teleconference or

videoconference in order to comply with the CDC recommendation that limits the number of people gathering together.

Under the State's Citizen Participation Plan, each comment will be considered and personally addressed and attached in the Appendix of the CDBG Disaster Recovery Action Plan.

The State values the public's opinion by accepting citizen and other interested parties' comments throughout development and implementation of its CDBG Disaster Recovery program. Every effort is made to reach minorities, non-English speaking residents, as well as persons with disabilities. For all meetings, to facilitate comments, questions, and other information; a Spanish-speaking translator / Hearing Impaired Sign Language interpreter is made available upon request. As identified in the State's Consolidated Plan under the Citizen Participation component, special needs and translation services were available, as requested. No requests were made for Spanish speaking translators or other special needs.

- June 23, 2020 – Public comment period starts for CDBG DR Action Plan. By regulation, a minimum of thirty (30) days is required to allow for public review of the proposed Action Plan.
- August 24, 2020 – Comment period ends for draft CDBG DR Action Plan.
- August 31, 2020 – CDBG DR Action Plan due for submission to HUD

5.17 Action Plan Amendments

Substantial Amendments to the Action Plan

A Substantial Amendment to the Action Plan shall be defined as:

1. A change in program benefit or eligibility criteria;
2. The addition or deletion of an activity; or
3. The allocation or reallocation of more than $5 million between activities.

Only those amendments that meet the definition of a Substantial Amendment are subject to the public notification and public comment procedures. Specifically, a public notice will be published online at the ODOC/CD CDBG Disaster Recovery webpage (https://www.okcommerce.gov/reporting-compliance/cdbg-disaster-recovery-2019/) and comment will be sought when assistance programs are further defined (i.e. change in program benefit or eligibility criteria) or when funding allocations are further refined by type of activity and location, if applicable. Per the Federal Register Notice guidelines, all amendments (Non-Substantial and Substantial) to the Action Plan will be posted online at the ODOC/CD CDBG Disaster Recovery webpage. Additionally, the CDBG Disaster Recovery Action Plan will be revised to reflect the amendments (Non-Substantial and Substantial) to the Action Plan. As

with the amendments, the CDBG Disaster Recovery Action Plan is posted online at the ODOC/CD CDBG Disaster Recovery webpage. Hard copies will also be made available upon request. Citizens, units of local government, and community partners will be provided notice and the opportunity to comment on proposed Substantial Amendments to the Action Plan. No less than thirty (30) days will be provided for review and comment on the Substantial Amendment. Comments will be accepted electronically or in writing and will be posted online at the ODOC/CD CDBG Disaster Recovery webpage. A summary of all comments received and responses will be included in the Substantial Amendment that is submitted to HUD for approval. Each amendment submitted to HUD for approval will be numbered sequentially and is meant to supersede the earlier amendments in the published Action Plan.

Non-Substantial Amendments to the Action Plan

Non-Substantial Amendments Non-Substantial Amendments to the Action Plan are defined as minor, one that does not materially change the activities or eligible beneficiaries. This provision should not be construed as allowing the general administrative budget to exceed the allowable limit. Additionally, a Substantial Amendment is not required in the case where the State is simply requesting additional funding from HUD. HUD must be notified in advance of a Non-Substantial Amendment becoming effective. Non-Substantial Amendments are NOT subject to the public notification and public comment procedures such as a thirty (30) day review and comment period. Per the Federal Register Notice guidelines, all amendments (Non-Substantial and Substantial) to the Action Plan will be posted online at the ODOC/CD CDBG DR website (https://www.okcommerce.gov/reporting-compliance/cdbg-disaster-recovery-2019/). Additionally, the CDBG Disaster Recovery Action Plan will be revised to reflect the amendments (Non-Substantial and Substantial) to the Action Plan. As with the amendments, the CDBG Disaster Recovery Action Plan is posted online at the ODOC/CD CDBG Disaster Recovery webpage. Hard copies will also be made available upon request. Each amendment submitted to HUD for approval will be numbered sequentially and is meant to supersede the earlier amendments in the published Action Plan.

5.18 Citizen Complaint Procedures

The State will accept written citizen complaints from citizens related to the disaster recovery programs, Action Plans, Substantial Amendments, or quarterly performance reports. Written complaints should be submitted via email marshall.vogts@okcommerce.gov or be mailed to:

Oklahoma Department of Commerce

Attn: Marshall Vogts, Director, Community Development / Community Infrastructure

900 N. Stiles Ave.

Oklahoma City, OK 73104-3234

The State will make every effort to provide a timely written response to every citizen compliant within fifteen working days of the receipt of the complaint, where practical.

The State encourages all Fair Housing / Equal Opportunity complaints be filed as applicable with the Metropolitan Fair Housing Council of Oklahoma, Inc. for Fair Housing Administration. All citizen complaints relative to Fair Housing / Equal Opportunity violations involving discrimination will be forwarded to the following address for disposition:

Metropolitan Fair Housing Council of Oklahoma, Inc.

1500 Northeast 4th Street, Suite 204, Oklahoma City, OK 73117

Additionally, the State encourages all Fair Housing / Equal Opportunity complaints be filed as applicable with the State Human Rights Commission now operating under the State Office of the Attorney General.

Oklahoma Office of the Attorney General

313 NE 21st Street, Oklahoma City, OK 73105

5.19 Limited English Proficiency

Requests for this Plan or related documents in alternate formats consistent with the provisions of federal requirements related to limited English proficiency or persons with disabilities may be directed to ODOC/CD using the following methods:

- Via telephone: (405) 815-6552 Toll Free: (800)-879-6552
- Via email: steven.hoover@okcommerce.gov
- Online at: https://www.okcommerce.gov/reporting-compliance/cdbg-disaster-recovery-2019/
- In writing at:

  Oklahoma Department of Commerce

  Attn: Community Development: CDBG Disaster Recovery

  900 N. Stiles Ave.

  Oklahoma City, OK 73104-3234

ODOC/CD will provide both oral interpretation and written translation services to persons at no cost and these services are available upon request.

Individuos con Discapacidades o Impedimentos de Lenguaje

El Estado valora la opinión del público al aceptar los comentarios de los ciudadanos y otras partes interesadas durante el desarrollo y la implementación de su programa de Ayuda Local de Desarrollo Comunitario Recuperación de Desastres (CDBG DR). Se hará todo lo posible para llegar a las minorías, los residentes que no hablan inglés, así como a las personas con discapacidades. Para todas las reuniones, para facilitar comentarios, preguntas y otra información; Un traductor de habla hispana y / o un intérprete de lenguaje de señas para discapacidad auditiva está disponible si es solicitado. La información del programa publicada en el sitio web será accesible y estará disponible en formatos accesibles, incluidos los que puedan leer los lectores de pantalla. El Departamento de Comercio de Oklahoma/ Desarrollo Comunitario (ODOC/CD) trabaja para publicar toda la documentación pública en formatos compatibles con la tecnología de lector de pantalla. ODOC/CD pondrá a disposición información en formatos alternativos según sea necesario y a pedido para garantizar una comunicación efectiva a las personas con discapacidades y discapacidades relacionadas con el lenguaje.

Las solicitudes de este Plan o documentos relacionados en formatos alternativos consistentes con las disposiciones de los requisitos federales relacionados con el dominio limitado del inglés pueden dirigirse a ODOC/CD utilizando los siguientes métodos:

- Por el telefono: (405) 534-6814
- Por el correo electrónico: Jessica.Izquierdo@okcommerce.gov
- En línea a: https://www.okcommerce.gov/reporting-compliance/cdbg-disaster-recovery-2019/
- Por escrito en
  Oklahoma Department of Commerce
  Attn: Community Development: CDBG Disaster Recovery
  900 N. Stiles Ave.
  Oklahoma City, OK 73104-3234

5.20 Broadband

As required by the Federal Register, Vol. 83, No. 28, Friday, February 9, 2018, any new construction or substantial rehabilitation, as defined by 24 CFR 5.100, of a building with more than four rental units will include installation of broadband infrastructure, as defined in 24 CFR 5.100, except where the grantee documents that: (1) the location of the new construction or substantial rehabilitation makes installation of broadband infrastructure infeasible; (2) the cost of installing broadband infrastructure would result in a fundamental alteration in the nature of its program or activity or in an undue financial burden; or (3) the structure of the housing to be substantially rehabilitated makes installation of broadband infrastructure infeasible.

5.21 CDBG DR Application Submission / Application Status

All funding opportunities require applicants to complete and submit their respective application and applicable attachments online using the OKGrants Grant Management System. No paper applications will be accepted.

OKGrants is a grant management software system used to electronically capture all grant information from application to closeout. OKGrants launched in 2012 for the ODOC/CD, followed by many other agencies. Any county, community or organization applying for a grant through the Oklahoma Department of Commerce must do so through OKGrants. OKGrants offers a variety of benefits to include, reduction in application processing time, ability for grantees to monitor the status of their grants, centralized record keeping, and a reduction in paper usage.

The first step for new grant administrators is to contact the grantee's "Agency Administrator". The AA is the Grantee's designated person assigned to manage associated accounts. If you do not have an account, the AA will create one for you. If you already have an account, notify the AA so that it can be associated. New and returning users can access the web based OKGrants system at the following web address. https://grants.ok.gov/Login2.aspx?APPTHEME=OKOSF

The OKGrants system governs the level of access by the user's assigned role. The common roles used by grantees in the OKGrants system are:

- Agency Administrator (AA) – handles user accounts only
- Viewer – Cannot edit or save. Used for auditors.
- Writer – Can edit and save. Cannot submit.
- Financial Officer (FO) – Can edit, save and submit.
- Authorized Official (AO) – Full permissions. Senior Elected Official. Submits Applications.

The application Writer or AO will have a link on their Home Page called "Available Opportunities" This link will provide information on all open grant opportunities, official guidelines on the program, and links to generate applications for these grants. The Writer, AO or FO will have ability to edit and save the application's various documents. Once the application is complete, the AO must submit the document to ODOC/CD through the OKGrants system.

Additional information regarding the OKGrants system can be found on the Oklahoma Department of Commerce website. http://okcommerce.gov/community/okgrants/ The website contains an array of OKGrants resourceful documentation such as module walk-throughs, FAQ's, troubleshooting guides, status glossary, and important contact information.

OKGrants Logon & Password Assistance

For questions regarding login and password issue, users may contact Cody Butler at (405) 815-5305 or cody.butler@okcommerce.gov.

OKGrants Technical & Training Assistance

For questions regarding technical or training issues with the OKGrants Grant Management System, contact Cody Butler at (405) 815-5305 or cody.butler@okcommerce.gov.

CDBG DR Application Assistance / Status Verification

For questions regarding to the CDBG DR Application Guidelines contact Steven Hoover (CDBG DR Planner) at (405) 227-3984 or steven.hoover@okcommerce.gov.

Application status is available to applicants via the OKGrants Grant Management System. Additionally, applicants may contact the CDBG DR Planner as noted above. Once CDBG DR awards are finalized by ODOC, an award listing will be published and posted on ODOC/CD's CDBG DR website (https://www.okcommerce.gov/reporting-compliance/cdbg-disaster-recovery-2019/).

5.22 CDBG DR Reporting & Website Composition

As required by HUD and outlined in the Federal Register notice, ODOC/CD will enter its Action Plan for Disaster Recovery, including performance measures, into HUD's DRGR system. Throughout the CDBG DR program lifecycle, ODOC/CD will continuously enter updated performance based information in order to meet both current and future reporting requirements.

A quarterly performance report will be submitted to HUD no later than 30 days following the end of each quarter after grant award and continuing until all funds have been expended and all expenditures have been reported. Each quarterly report will include information about the uses of funds during the applicable quarter including (but not limited to) the project name, activity, location, and national objective; funds budgeted obligated, drawn down and expended; the funding source and total amount of any non-CDBG Disaster Recovery funds to be expended on each activity; beginning and completion dates of activities; achieved performance outcomes; and the race and ethnic status of persons assisted under direct-benefit activities. Quarterly reports to HUD will be submitted using the DRGR system. ODOC/CD will post the submitted report to its official website within three (3) business days.

In accordance with CDBG DR requirements, ODOC/CD has developed and will maintain a comprehensive website regarding all disaster recovery activities assisted with these funds. The dedicated disaster

recovery web page will inform the public and any other interested parties on how the ODOC/CD is managing the CDBG DR funds. ODOC/CD will post all Action Plans and amendments on the ODOC/CD's CDBG DR website at https://www.okcommerce.gov/reporting-compliance/cdbg-disaster-recovery-2019/.

The website includes:

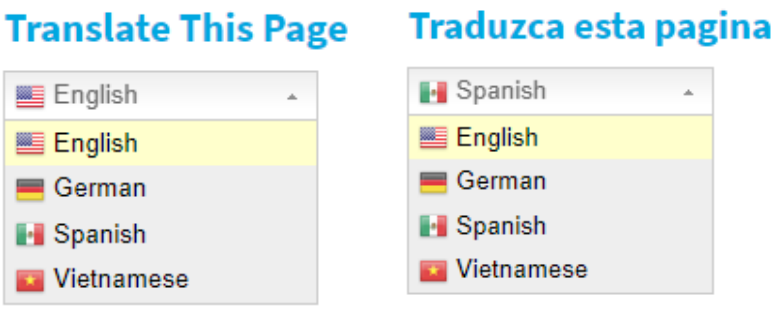
- The current approved CDBG DR Action Plan.
- All Action Plan amendments.
- CDBG DR Policy & Procedure Manual
- Citizen participation comments and related postings.
- Procurement policies and procedures.
- Current procurements for goods and services.
- Current contract agreements.
- A summary of all procurements.
- Internal Audit reports

The website gives citizens an opportunity to read the plan and to submit comments. This website is featured prominently on, and is easily navigable from, ODOC/CD's homepage contact and comment section. Paper copies of the Action Plan and any subsequent Amendments will be available upon request.

ODOC/CD will manage the website as well as all other forms of media in order to maintain public transparency. The website will be updated monthly as required with the last current date of the update noted on the document. All required updates to ODOC/CD's dedicated CDBG DR program recovery website will be completed within three (3) business days. Updates for the CDBG DR website will be accomplished

The State values the public's opinion by accepting citizen and other interested parties' comments throughout development and implementation of its CDBG Disaster Recovery program. Every effort will be made to reach minorities, non-English speaking residents, as well as persons with disabilities. For all meetings, to facilitate comments, questions, and other information; a Spanish-speaking translator and/or Hearing Impaired Sign Language interpreter is made available upon request. Program information posted to the website will be accessible and available in accessible formats, including those readable by screen readers. ODOC/CD works to publish all public documentation in formats supportive of screen reader technology. ODOC/CD will make information available in alternate formats as needed and upon request to ensure effective communication to persons with disabilities and language related impairments.

Additionally, the ODOC/CD CDBG DR website contains a "translator" box on the page offering several languages to include Spanish. Once the desired translator box text is selected, all text on the webpage is converted to the selected language for better reading comprehension.



The following CDBG DR Spanish language related outreach and contact information narrative will be placed on the webpage translated as follows.

Individuos con Discapacidades o Impedimentos de Lenguaje

El Estado valora la opinión del público al aceptar los comentarios de los ciudadanos y otras partes interesadas durante el desarrollo y la implementación de su programa de Ayuda Local de Desarrollo Comunitario Recuperación de Desastres (CDBG DR). Se hará todo lo posible para llegar a las minorías, los residentes que no hablan inglés, así como a las personas con discapacidades. Para todas las reuniones, para facilitar comentarios, preguntas y otra información; Un traductor de habla hispana y / o un intérprete de lenguaje de señas para discapacidad auditiva está disponible si es solicitado. La información del programa publicada en el sitio web será accesible y estará disponible en formatos accesibles, incluidos los que puedan leer los lectores de pantalla. El Departamento de Comercio de Oklahoma/ Desarrollo Comunitario (ODOC/CD) trabaja para publicar toda la documentación pública en formatos compatibles con la tecnología de lector de pantalla. ODOC/CD pondrá a disposición información en formatos alternativos según sea necesario y a pedido para garantizar una comunicación efectiva a las personas con discapacidades y discapacidades relacionadas con el lenguaje.

Las solicitudes de este Plan o documentos relacionados en formatos alternativos consistentes con las disposiciones de los requisitos federales relacionados con el dominio limitado del inglés pueden dirigirse a ODOC/CD utilizando los siguientes métodos:

Por el telefono: (405) 534-6814
Por el correo electrónico: Jessica.Izquierdo@okcommerce.gov
Por escrito en
Oklahoma Department of Commerce
Attn: Community Development: CDBG Disaster Recovery
900 N. Stiles Ave.
Oklahoma City, OK 73104-3234

5.23 CDBG DR Re-Use Funds

ODOC/CD anticipates that in some cases CDBG DR funding could potentially be available later in the program due to unforeseen events such as the cancellation of projects; projects completed under budget; or from funds designated but not allocated. ODOC/CD reserves the right to adjust any of the remaining CDBG DR funding to ensure maximum utilization of funds. Such CDBG DR "Reuse" funding adjustments shall be the minimum amount necessary to fund projects efficiently. The CDBG DR Reuse funding is also being made available to offset any unforeseen project eligible cost increases such as in the case of construction. All CDBG DR Reuse funding will be subject to the same expenditure deadlines and compliance requirements set forth in the Federal Register Notice. Funding deemed Reuse will be evaluated and allocated according to the following considerations.

1. In addition to first meeting the core CDBG DR program eligibility requirements as outlined in this Action Plan, Reuse funding will be prioritized in order to allow the State to meet the minimum Federal Register specified objectives should these objectives still remain unfulfilled at the time of the Reuse funding availability.

2. Reuse funding will be first considered for current grantees whose infrastructure projects have been significantly impacted by unforeseen increased project completion costs and require additional funds to ensure timely completion of their eligible project.

3. Reuse funding consideration will depend on the amount required by the eligible CDBG DR project in relation to the amount of limited remaining CDBG DR funding available.

4. Reuse funding consideration will depend on the amount of time required for final project completion in relation to the amount of time remaining under the imposed Federal Register Notice deadlines.

5. Any remaining CDBG DR funding that cannot meet the expenditure deadlines and compliance requirements set forth in the Federal Register Notice will be will be returned to HUD as required under federal guidelines.

5.24 Schedule of Expenditures and Outcomes

ODOC/CD maintains a schedule of expenditures and outcomes, periodically updated in accordance with its mandatory reporting to HUD. The schedule of expenditures and outcomes is located at the ODOC CDBG DR website: https://www.okcommerce.gov/reporting-compliance/cdbg-disaster-recovery-2019/. In accordance with the Notice, all funds will be expended within six years of HUD's initial grant agreement.

APPENDICES