

STATE OF IOWA ACTION PLAN  
FOR DISASTER RECOVERY # 2  
(Including Amendments # 1 through # 18 and  
Technical Modifications # 1 through # 14)

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Utilizing Supplemental CDBG Disaster Recovery Funding  
from the Consolidated Security, Disaster Assistance, and  
Continuing Appropriations Act, 2009  
(Public Law 110-329)

Through U.S. Department of Housing and Urban Development

Federal Register Docket No. FR-5256-01)

**Iowa Department of Economic Development**

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## **INTRODUCTION**

The State of Iowa is required to publish an Action Plan for Disaster Recovery (Action Plan) that describes the proposed use of U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) funding associated with the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009 (Public Law 110-329), for disaster relief of unmet needs resulting from tornadoes and flooding in the state.

This document will describe:

- the citizen participation process used to develop the Action Plan;
- eligible affected areas and applicants, and the methodology to be used to distribute funds to those areas and applicants;
- activities for which funding may be used; and
- grant administration standards.

This Action Plan will be used by the state to guide the distribution of \$125,000,000 of CDBG Disaster Recovery Funding toward meeting unmet housing, infrastructure, business, public service, public facility, and other needs in counties designated as Presidential Disaster Areas, as directed by Public Law 110-329 and HUD.

Amendments to this Plan will be expected as additional funds become available.

This Action Plan is in relation to the U.S. Department of Housing and Urban Development's Notice of Funding Availability provided in Federal Register Docket No. FR-5256-N-01.

## **THE EFFECT OF THE DISASTERS AND IOWA'S RECOVERY NEEDS**

In the late spring and early summer of 2008, the State of Iowa suffered through a series of disastrous events, tornados followed by record-breaking floods. In some cases, the same community was hit by both events. Also, in some Iowa communities the 2008 flood crested 8 feet higher than the flood of 1993.

Among the larger communities, Cedar Rapids, Iowa's second-largest city, was especially hard hit. It is estimated that 1300 blocks in Cedar Rapids were flooded to the point that repair/rehabilitation will be difficult to impossible in many of those areas.

It is estimated that, statewide, over 21,000 housing units have been damaged, with over 4200 of those destroyed or suffering major structural damage. Also, an estimated 2400 businesses were damaged physically, and another 3000+ have suffered economic losses. It is quite clear that FEMA and SBA assistance will not come close to covering all of the uninsured costs associated with the damage.

Following are estimates of damages compiled by the Rebuild Iowa Advisory Commission in just three community/ economic development categories. (The full reports from the Commission are available at <http://rio.iowa.gov/> )

### **Economic and Workforce Development**

- Total estimated unmet need for small and intermediate businesses - \$2.78 billion
  - » \$5.36 billion total assessed damage.
  - » Approximately 4,800 non-manufacturing small businesses and 800 intermediate businesses were impacted.
- Large businesses experienced an estimated \$100 million in losses.
- Small business and non-profit corporations - \$600 million in lost revenue in one year in the Cedar Rapids area, according to a report from Iowa Commercial Realty in Cedar Rapids.
- Physical damage to businesses from a Safeguard Iowa online survey - \$426,011,267; economic loss - \$178,593,361.
- Manufacturing damages and lost income from the ISU Center for Industrial Research and Service (CIRAS) survey - \$100 million projected.
- Increase in unemployment rate from Iowa Workforce Development data – 3.9% in May; 4% in June; 4.3% in July, 4.6% in August.

- Initial claims for unemployment insurance program - increased by over 6,500 (over 44% increase) from May to June 2008, according to Mass Layoffs Statistics.

#### Housing

Cost to communities and to the state to repair and replace the damage to housing:

- The total unmet housing need is \$946 million for single family and multi-family housing
  - »» \$90 million is for rental property
  - »» \$856 million is for single family dwellings
- The unmet housing need represents need remaining after all insurance and government housing program assistance is taken into account.

#### Infrastructure and Transportation

- Roads and bridges
  - »» Federal aid routes - \$30 million according to Iowa Department of Transportation as of August 8, 2008
  - »» County roads - \$43 million according to FEMA County Survey as of July 31, 2008
  - »» Roads and bridges - \$55 million according to FEMA as of July 29, 2008
- Public Transit - \$53 million according to Iowa Department of Transportation as of August 8, 2008
- Rebuild Iowa Advisory Commission
- Railroads, according to Iowa Department of Transportation as of August 8, 2008
  - »» Class 1 railroads - \$45 to \$60 million
  - »» Short line railroads - \$23 million
- Communications and Utilities
  - »» Telecommunications - \$66 million according to Iowa Telecom, rural independent telephone companies, and Qwest as of August 7, 2008
  - »» Public utilities (water, wastewater, power generation, communications) - \$342 million according to FEMA as of August 11, 2008
  - »» Private utilities and communications companies are not eligible for FEMA assistance.
- Flood control facilities (drainage channels, pumping facilities, some flood control facilities) - \$13 million according to FEMA estimates as of August 11, 2008
- Public buildings and equipment - \$380 million according to FEMA estimates as of August 11, 2008
  - »» In order for public buildings located in a floodplain to receive FEMA assistance, they must pay the first \$500,000 of cost for damage to the structure and \$500,000 of cost for damage to contents.
  - »» This creates an additional unmet need for many communities.
- Total estimated unmet need for public buildings and infrastructure - \$703 million
  - »» Total damages to publicly-owned buildings and infrastructure - \$798.3 million
  - »» Information was compiled in cooperation with other state and federal agencies by the Rebuild Iowa Office.

#### Demonstration of Unmet Needs – Update to June, 2010

The most recent update of Iowa unmet disaster needs total \$2.442 Billion, and includes the following:

- A summary of unmet infrastructure needs, comprised of (1) unfunded applicants, other than the City of Cedar Rapids, to the programs under Activity J, Infrastructure – Match for FEMA Hazard Mitigation Projects, and Activity K, Public Infrastructure – Non-FEMA, for a total of \$62,747,772; (2) Cedar Rapids' estimate of a funding shortfall for a list of infrastructure needs, for \$369,608,704; and (3) a list of unfunded disaster recovery-related projects under the Iowa Jobs (I-Jobs) bonding program, for \$91,581,644. The grand total for the three infrastructure project lists is \$523,938,120.
- An updated estimate of unmet housing needs made by the Iowa Finance Authority in November, 2008. The estimate for unmet needs for housing was \$956 Million.
- An updated estimate of unmet business needs made by the Iowa Department of Economic Development in December, 2008. The estimate for unmet business needs was \$962 million.

Documentation on these estimates is available at The Iowa Department of Economic Development

## **FEDERAL AND STATE RESPONSES TO DATE**

Congress passed the Supplemental Appropriations Act, 2008 (PUBLIC LAW 110–252—JUNE 30, 2008), which appropriated \$300,000,000 in Community Development Block Grant funds related to disaster relief, long-term recovery, and restoration of infrastructure in areas covered by a declaration of major disaster under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) as a result of recent natural disasters. The State of Iowa has been allocated a total of \$156,690,815 from that appropriation for recovery from the impacts of the severe storms, tornadoes, and flooding experienced in Iowa.

The state has been very active in responding to the disasters. On June 27, Governor Culver signed Executive Order 7 creating the Rebuild Iowa Office (RIO), whose mission is to lead the state of Iowa's efforts to rebuild safer, stronger and smarter in the wake of the 2008 severe storms and catastrophic flooding. The office envisions a resilient Iowa that will be safe, sustainable and economically strong for its people, reaffirming its ties to the land, rivers, environment and rich cultural history.

The Rebuild Iowa Office works closely with the Rebuild Iowa Advisory Commission, an appointed body of 15 bipartisan local officials and community members from across the state — many of whom were personally affected by the storms and flooding. The RIAC reports to the Lt. Governor and oversees nine recovery task forces, which will help facilitate public dialogue on complex recovery issues and make recommendations in focused issue areas.

Less than three weeks after Governor Culver signed Executive Order 7, the Rebuild Iowa Office opened its doors, held its first Rebuild Iowa Advisory Commission meeting and was fully staffed.

The initial report on the disaster and needed recovery efforts by RIO was released on September 2, 2008. In addition, nine individual Task Forces were assembled to study and report on separate aspects of the disaster damages and recovery needs. Reports on each of these topics have also been produced and are available at <http://rio.iowa.gov/>

The State developed a Plan for utilizing the federal disaster funds. The Plan, and an amendment to the Plan, were approved by HUD. The State has distributed a substantial portion of those funds for Small Business Assistance and Housing Repair/ Rehabilitation, and has additional planned activities in the areas of housing buyouts, housing production, and infrastructure projects.

In addition, the State has contributed significant resources from the state level to address the problems. The State reallocated \$35 million of state funding from other state programs to contribute towards recovery efforts. More recently, the state appropriated an additional \$56 million of state funding to be used for business and housing recovery efforts. The \$56 million appropriation was the first bill of the 2009 Iowa legislative session to be passed and signed by the Governor.

## **CONSULTATION WITH LOCAL GOVERNMENTS**

The Rebuild Iowa Office, the Rebuild Iowa Advisory Commission, the Rebuild Iowa Task Forces, and a variety of state agencies, including the Department of Economic Development, have had multiple discussions with local government staff and officials regarding the development of the 2008 Rebuild Iowa Disaster Recovery Action Plan.

The Commission held six meetings in July and August to tour damage in affected parts of Iowa, receive updates on recovery progress, and provide input to the Rebuild Iowa Office.

Members of the Commission also serve as Task Force Chairs for the nine RIO Recovery Task Forces. Task Force membership was solicited through a public process requesting Iowans to volunteer to serve in one of the nine areas. Responses were overwhelming, and all volunteers who applied were invited to participate as either a Task Force member or a Resource Group member. Over 500 Iowans ended up serving on the nine Task Forces. Many of these volunteers are local government officials.

In addition to feedback from Iowans and local governments during Commission and Task Force meetings, the Rebuild Iowa Office toured the state, reaching out to Iowans in affected areas. Speak Up Iowa! public input sessions provided an opportunity for RIO staff and federal agencies to connect with Iowans by linking them with resources, information,

and assistance. In addition, the RIO sought feedback from all individuals regarding circumstances, issues, and impact related to their unique experiences with the disaster events and recovery.

Over 650 Iowans participated during the 45-day information-gathering time period through Task Force meetings, Speak Up Iowa! public input sessions, and through online and telephone feedback. A timeline of the RIAC public participation process is included in Appendix B.

The Department of Economic Development has had numerous meetings and discussions with representatives of entitlement communities, other local governments and Councils of Government to discuss recovery priorities and potential allocation methodologies. The Department will continue to coordinate and invite affected local governments to provide input on this action plan.

The Department has initiated weekly teleconferences with the direct recipients of funding to coordinate efforts, and to ensure that regulations and guidelines are understood by everyone. The Department also prepares and distributes a Disaster Recovery Newsletter to all interested parties to keep them informed of developments relating to disaster funding and program implementation.

The State of Iowa Action Plan for Disaster Recovery (# 2) will be made available to citizens, affected local governments and other interested parties via publication on the Department's website as well as through email notification. The Draft Action Plan is being sent by email in a note to all cities, counties, and Councils of Government (COGs) in the state. The COGs have been asked to make the Draft Action Plan available on their individual websites, as well as at their offices. Notification of the Draft Action Plan's availability is being published in the statewide newspaper, The Des Moines Register. The Governor's Office has had several news releases announcing the earlier funding and referring to the proposed Action Plan(s). All comments regarding the Action Plan will be considered. The Department will continue to utilize its website, email communications as well as traditional forms of communication to provide reasonable opportunity for citizen comment and ongoing citizen access to information on the use of grant funds.

The state will make the Plan available to persons with disabilities and non-English speaking persons. The Department will brief key staff at the Department of Human Rights (Division of Latino Affairs, Division of Persons with Disabilities, etc.) on the Plan. The Department will have prepared an Executive Summary of the Plan, in Spanish, in brochure form, summarizing the benefits available in the housing and business assistance activities, and distributed it through the Department of Human Rights, and through COGs and local governments, to be made available to the general public and as requested. For this Disaster Recovery Plan (# 2) the Department will have an announcement in Spanish on the website, noting the availability of the Plan(s) and the brochures.

The final Action Plan will include a summary of all public comments and IDED's response(s) to those comments.

In its regular CDBG and HOME programs, the IDED coordinates the application and award of funds for community development projects with the Iowa Finance Authority, Department of Natural Resources, and U.S. D.A. – Rural Development. These and other alliances will be continued and expanded to serve communities targeted for 2008 disaster recovery funding.

# FEDERALLY-DESIGNATED AREAS ELIGIBLE FOR ASSISTANCE

Counties where the CDBG Disaster Recovery Funds may be used were determined by the FEMA Declaration FEMA-1763-DR dated May 27, 2008, for Iowa Severe Storms, Tornadoes, and Flooding (May 27, 2008 and continuing.)

Eighty-six (86) of the 99 counties in the state have been included in one or more federal or state disaster declarations. The Federal Emergency Management Agency has designated 78 counties for individual assistance and 84 counties for public assistance. Governor Culver has declared a total of 86 counties as disaster areas.

Figure 1 is a map of the counties that are eligible under the FEMA Individual Assistance Program (IAP) and the Public Assistance Program (PAP) This map can also be accessed at the Federal Emergency Management (FEMA) website at <http://www.fema.gov> (general FEMA website) and more specifically at [http://www.gismaps.fema.gov/2008graphics/dr1763/dec\\_1763.pdf](http://www.gismaps.fema.gov/2008graphics/dr1763/dec_1763.pdf)

The CDBG Disaster Recovery Funding may be used in the 85 counties that are eligible for assistance under the two FEMA programs. (84 counties designated for Public Assistance, plus one county designated for Individual Assistance only.)

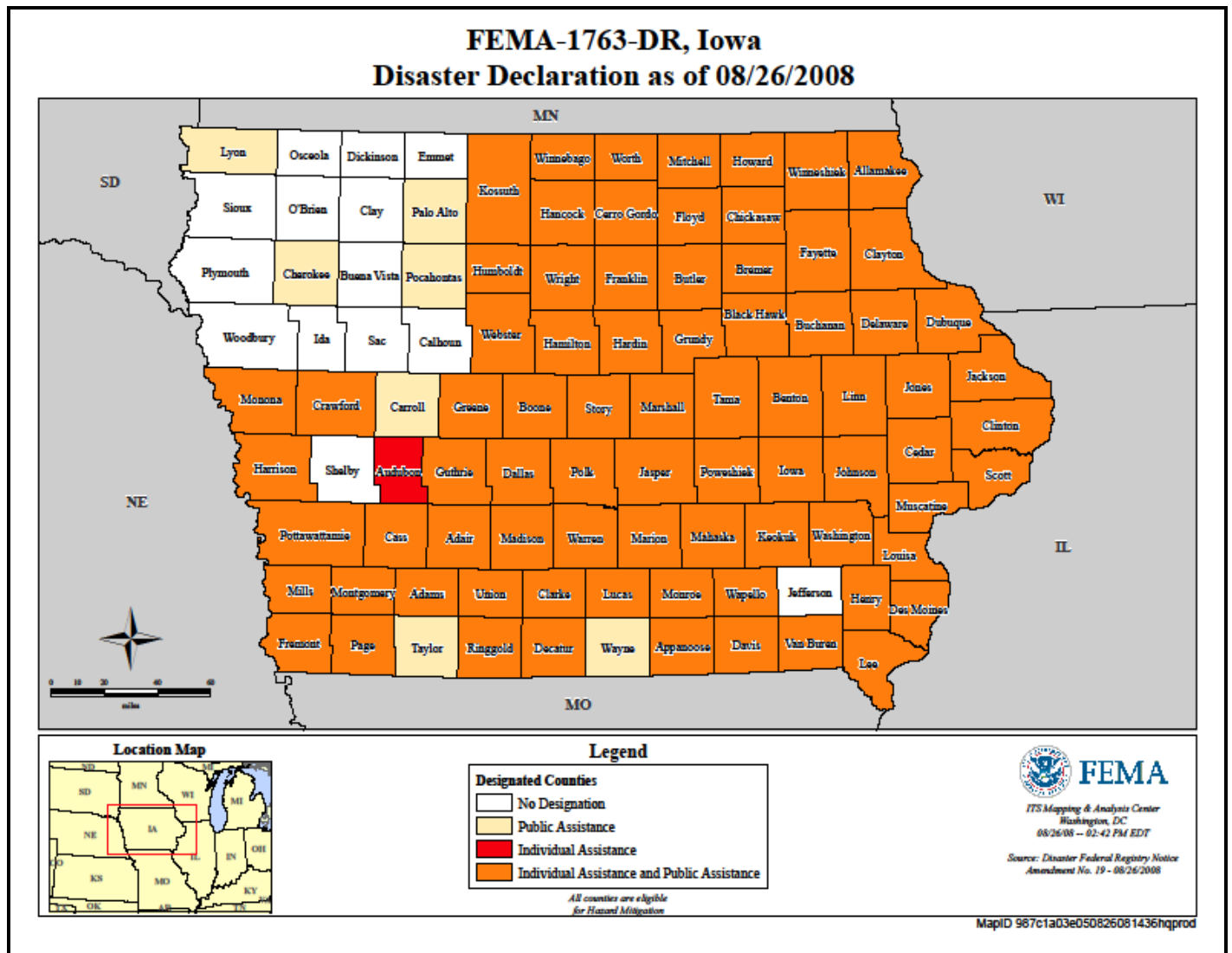


Figure 1



## **PROMOTION OF SHORT- AND LONG-TERM RECOVERY PLANNING**

The following immediate (short-term) and longer-term recommendations for action come from the initial 45-Day Report to the Governor from the Rebuild Iowa Commission.

### *Immediate (Short-Term) Recommendations*

- 1)** Provide advice and support to individuals and families, businesses, farmers, nonprofit organizations, and others seeking assistance in making their way through the challenges of rebuilding their lives in a “case management” framework. Help will be easily accessed locally across the state for all categories of need, including:
  - Housing
  - Mental health and mental health first aid
  - Health care
  - Information on programs and assistance available
  - Completion of applications for assistance
  - Information on decision making, including protection from falling victim to unqualified contractors and fraudulent practices
  - Shortcutting local, state, and federal red tape in accessing assistance
- 2)** Ensure immediate needs housing for all who need to be relocated, temporarily or permanently, before cold weather arrives.
- 3)** Provide incentives immediately for Iowa’s struggling small businesses, microenterprises, and non-profits for restoration and rebuilding of their businesses.
- 4)** Complete floodplain mapping for the entire state.
- 5)** Identify and create funding options and provide flexibility for local and state governments to assist Iowa in rebuilding an even better Iowa.
- 6)** Expedite the flow of funds from the federal level, through the state, and to the local levels of government.
- 7)** Provide resources and capacity to ensure public health is maintained.

### *Subsequent (Long-Term) Recommendations*

Of course, once the initial recommendations are underway, there is an expectation that they will be supported and maintained over time. There is also an expectation that some will be developed, adjusted, and continued to the next level of implementation. The Commission also developed among its priorities a set of subsequent recommendations that will become part of the Commission’s consideration as it undertakes further work in the coming months.

- 1)** Continue to provide advice and support to individuals seeking assistance in making their way through the challenges of rebuilding their lives in a “case management” framework while creating a lasting organizational capacity and process over time.
- 2)** Ensure availability of adequate, affordable housing and the ability of individuals and families to rent or purchase those homes.
- 3)** Provide incentives for Iowa’s struggling small businesses, microenterprises, and non-profits for restoration and rebuilding of their businesses.
- 4)** Complete floodplain mapping for the entire state as begun under the immediate action items.
- 5)** Identify, create, and sustain funding options and provide flexibility for local and state governments to assist Iowa in rebuilding an even better Iowa.
- 6)** Invest in local emergency management agencies for the central coordination function and work in all areas of emergency management – preparedness, response, recovery, and mitigation.
- 7)** Support integrated, regional planning to address recovery, and leverage multi-jurisdictional strengths for ongoing initiatives.
- 8)** Promote and support communications and outreach initiatives to educate and support Iowans as they recover and plan for future disasters.
- 9)** Move state policy forward and lead the discussion with regional and local interests on floodplain and watershed management.
- 10)** Sustain community identity, quality of life, and cultural heritage.

## **PROMOTING HIGH QUALITY, DURABLE, ENERGY EFFICIENT, AND MOLD RESISTANT CONSTRUCTION METHODS**

All newly constructed multi-family and single-family housing must meet all locally adopted and enforced building codes, standards and ordinances. In the absence of locally adopted and enforced building codes, standards and ordinances, the requirements of the State Building Code apply. All newly constructed housing must also meet the requirements of the 2006 International Energy Efficiency Code.

All multi-family housing activities involving rehabilitation must meet all locally adopted and enforced building or housing codes, standards or ordinances. In the absence of locally adopted and enforced building or housing codes, standards or ordinances, the requirements of the State Building code apply.

The State Building Code (Department of Public Safety) has adopted the International Building Code and related publications.

All single-family housing activities involving rehabilitation must meet all locally adopted and enforced building or housing codes, standards or ordinances. In the absence of locally adopted and enforced building or housing codes, standards or ordinances, the requirements of the Iowa Minimum Housing Rehabilitation Standards apply (all communities with populations of less than 15,000). Communities with populations of 15,000 or greater are required by state law to adopt a housing code.

## **PROVISION OF ADEQUATE, FLOOD-RESISTANT HOUSING FOR ALL INCOME GROUPS THAT LIVED IN THE DISASTER-IMPACTED AREAS**

The State of Iowa will provide up to 45 percent of its CDBG supplemental appropriation for affordable single family housing activities, including rehabilitation, homebuyer assistance and interim mortgage assistance. The Iowa Department of Economic Development will continue to coordinate and collaborate with the Iowa Finance Authority to provide funding for multifamily affordable housing in the impacted areas.

Iowa addresses its emergency shelter and transitional housing needs through its local Continuums of Care and the Balance of State Continuum of Care. The Iowa Finance Authority, through a memorandum of understanding with the Iowa Department of Economic Development, administers both the state and federal homeless programs that also provide emergency shelter and transitional housing funding to entities throughout the state. Through these programs, operated at the local level, the needs of the homeless and those at risk of homelessness are being addressed.

Homeless shelters and transitional housing units impacted by the flood will be eligible for assistance through the housing assistance component of this plan, if these facilities were located outside the 100 year flood plain. If they were within the 100 year flood plain the facilities will be eligible for assistance to rebuild outside the flood plain.

In General the State of Iowa is working with the non-profit communities to help them recover from the effects of the flooding. In the hardest hit areas, an extra effort was made to get a good count on how many persons were displaced or inadequately housed. A Vista Volunteer was used to make contact with these households and help connect them with resources.

Local Continuum of Care groups working with the State's Long Term Recovery Committees have developed plans to relocate those persons living in homeless shelters and transitional housing projects that were abandoned due to flooding. Some of the homeless persons were moved to shelters in other communities that made space available, others were taken in by local faith communities. Those homeless facilities closed due to the flooding have since reopened but the communities will continue to experience increased demand for housing for some time. Persons that came into the affected communities looking for work were also assisted in finding temporary housing through the Continuum of Care.

The State of Iowa's Consolidated Plan, approved by HUD in 2005, identifies specific strategies and actions that the state takes to address a variety of housing needs for low and moderate income persons, the at risk population group, as well as those with special needs (i.e., elderly, frail elderly, persons with disabilities, persons with alcohol or other drug addictions and person diagnosed with HIV/ AIDS). There is a need for a wide variety of housing options ranging from independent living to supported independent living to group settings to specialized care. Beyond the bricks and mortar is the need to blend required support services with the appropriate affordable housing options. All of these issues will need to be considered as we rebuild our communities following our recent flooding and tornados.

All new construction and rehabilitation must keep in mind the needs of the potential occupants of the units, particularly the needs of those with special needs. Lead COGs and entitlement cities will be required to work with nonprofit agencies as well as persons providing housing to special needs individuals and groups to ensure that their housing is replaced or rehabilitated in a manner appropriate to their needs.

Iowa hopes to use its Homeless Management Information System (HMIS) service provider, Service Point, as a tool to assess the needs of the individuals and families, as a way of linking them to the available services, as a record of how each family was assisted and finally as a indicator to see if needs still remain.

The State of Iowa will be providing the 15 % local match from state CDBG funds for the FEMA Hazard Mitigation Grant Program (HMGP) for housing buyouts, plus 10% from state funds. Property acquisition will be the state's number one priority under this program, with the intent of removing houses from flood hazard areas. To date, the state's Homeland Security/ Emergency Management Division has submitted three applications to FEMA for this program and are reviewing 20 additional applications. The state has collected notices of interest from communities that are interested in such acquisitions, and has received expressions of preliminary interest totaling approximately \$250 million.

In addition to the above, the state will also use a portion of the Disaster funding to buy out homes that don't meet FEMA cost/benefit analysis requirements, but are in areas that had heavy flood damage and that support overall flood mitigation plans for the community(ies).

Any assistance within a 100-year flood plain will only be provided pursuant to the required 8-step environmental review process, and any residential properties receiving such assistance will be required to purchase flood insurance.

The State will also be providing the 15% local match from state CDBG funds for the FEMA HMGP for infrastructure, plus 10% from state funds, to encourage communities to complete projects that will lessen the negative impacts of future floods. As a result of the state providing this match, the local governments will not entail financial obligations relating to these projects, and therefore will be more likely to undertake them.

## **METHOD OF DISTRIBUTION**

Iowa initially received a total of \$125,297,142 under the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act (P.L. 110-329). The State's plan for use of these funds was given in the original State of Iowa Action Plan # 2 for Disaster Recovery. Amendment # 4 to Action Plan # 2 provides for the distribution of the second round of the funds allocated to Iowa, \$516,713,868, under the federal Act. Amendments # 8 and 10 to Action Plan # 2 provide for the distribution of an additional \$92,167,641 allocated to Iowa under the Disaster Recovery Enhancement Fund of P.L. 110-329, bringing the total funds allocated to the State under P.L. 110-329 to \$734,178,651.

Iowa also received disaster funding of \$156,690,815 under a previous federal appropriation, the Supplemental Appropriation Act (P.L. 110-252). The State's Plan for use of these funds is given in the State of Iowa Action Plan # 1 for Disaster Recovery.

Most of the activities started under Action Plan # 1 have been continued under Action Plan # 2. In order to give the complete picture of all disaster funding provided for each activity to date, in the sections "Allocation for Activity" we are showing first the amount allocated under the most recent amendment to Action Plan # 2, followed by the

cumulative total for Action Plan # 2, followed by the cumulative total for Action Plan # 2 plus the amount allocated under Action Plan # 1.

## **I. HOUSING ACTIVITIES**

### **A. Housing repair/ rehabilitation, homebuyer assistance, and interim mortgage assistance.**

Owner-occupied homes and rental units not slated for buyouts will receive assistance to make needed repairs and rehabilitation. Within this overall repair/ rehabilitation program, different requirements will apply, depending upon the cost of the needed/ requested repairs. The overall maximum for any assistance will be \$60,000. If the cost is \$25,000 or higher, then the structure will be required to meet all applicable property standards after repair. If the cost is less than \$25,000, then the full set of property standards compliance will not be required. This category of housing repair (below \$25,000) is being called Jumpstart Express, in recognition of the lesser property standards compliance. Although it has a separate name, this is not a separate activity, it is simply a different level of housing repair/ rehabilitation. It is also important to note that all lead-safe housing requirements will apply to any housing repair/ rehabilitation, regardless of the cost or level of rehabilitation. Households whose homes were destroyed or damaged beyond reasonable repair will be offered homebuyer assistance for replacement housing. Households who are within buyout areas will be offered assistance to maintain mortgages that would otherwise go into default, during the period before the buyout occurs. The priority for the use of funds from the current HUD disaster appropriation will for repair and rehabilitation of affordable rental units.

1. Allocation for Activity: Amendment # 15 reduced the amount under this activity by \$2,797,418. Amendment # 17 reduces the amount under this activity by \$1,292,256. Amendment # 18 reduces the amount under this activity by \$159,282. This brings the total allocated for this activity under Action Plan # 2 to \$14,044,103 and the grand total for the activity under Action Plan # 1 and Action Plan # 2 to \$42,172,895.

2. Eligible Applicants: Direct applicants for this activity are the cities of Cedar Falls, Cedar Rapids, Des Moines, Iowa City, and Waterloo, and “lead” counties applying on behalf of Disaster Recovery Areas consisting of the following counties, excluding the cities named above:

Area 1 counties: Allamakee, Black Hawk, Bremer, Buchanan, Butler, Chickasaw, Clayton, Fayette, Grundy, Howard, Winneshiek. The lead county for purposes of contracting/ fiscal agent is Black Hawk County.

Area 2 counties: Boone, Calhoun, Cerro Gordo, Floyd, Franklin, Hamilton, Hancock, Hardin, Humboldt, Jasper, Kossuth, Marshall, Mitchell, Pocahontas, Polk, Poweshiek, Story, Tama, Webster, Winnebago, Worth, Wright. The lead county for purposes of contracting/ fiscal agent is Cerro Gordo County.

Area 3 counties: Audubon, Buena Vista, Carroll, Cass, Cherokee, Clay, Crawford, Dallas, Dickinson, Emmet, Fremont, Greene, Guthrie, Harrison, Ida, Lyon, Mills, Monona, Montgomery, Obrien, Osceola, Page, Palo Alto, Plymouth, Pottawattamie, Sac, Shelby, Sioux, Woodbury. The lead county for purposes of contracting/ fiscal agent is Cass County.

Area 4 counties: Cedar, Clinton, Delaware, Des Moines, Dubuque, Henry, Jackson, Lee, Louisa, Muscatine, Scott. The lead county for purposes of contracting/ fiscal agent is Dubuque County.

Area 5 counties: Benton, Iowa, Johnson, Jones, Linn, Washington. The lead county for purposes of contracting/ fiscal agent is Linn County.

Area 6 counties: Adair, Adams, Appanoose, Clarke, Davis, Decatur, Jefferson, Keokuk, Lucas, Madison, Mahaska, Marion, Monroe, Ringgold, Taylor, Union, Van Buren, Wapello, Warren, Wayne. The lead county for purposes of contracting/ fiscal agent is Union County.

3. Threshold Criteria:

(i) All proposed activities will take place in Presidential-declared disaster areas.

- (ii) Application is from an eligible applicant
- (iii) Applicant's capacity to undertake the activities
- (iv) Applicant's area does not overlap area(s) of other selected applicants

All applicants meeting the threshold criteria will be selected.

A contract including a plan of action will be executed with each of the successful applicants.

4. Allocation to Cities and Disaster Recovery Areas: Allocations from the amount devoted to this activity will be based on the extent of housing damage in the applicant's area. The percent of Iowa FEMA Housing Assistance awarded within the applicant's jurisdictions by September 16, 2008 will be multiplied times the current \$30 million allocation to yield the applicant's award. The percentage distribution that will be used is the same as that used in the previous award, as follows:

Area 1: 10.63%	Cedar Falls: 4.64%
Area 2: 8.65%	Cedar Rapids: 39.65%
Area 3: 2.71%	Des Moines: 3.29%
Area 4: 10.87%	Iowa City: 3.43%
Area 5: 7.88%	Waterloo: 3.42%
Area 6: 4.82%	

Redistribution of funds. IDED will monitor recipients' levels of progress in this activity. As work on this activity progresses, the Department intends to adjust existing contract amounts and any additional awards to meet actual demonstrated needs. This will be accomplished by making adjustments to allocations in accordance with provisions in subrecipient contracts, or through mutual agreement between the Department and individual subrecipients. Adjustments will be based on need as documented by the subrecipients' current commitments, plus additional need as evidenced by applications in hand.

**B. Lead Hazard/Lead-Based Paint Abatement Training**

The allocation to this activity will fund training for contractors and other professionals involved with lead hazard/lead-based paint abatement. Building capacity for this throughout the disaster recovery area is a critical need.

This activity will involve training for persons and firms serving the entire designated disaster area in Iowa. IDED will contract directly for this activity. Training would occur at locations throughout the state. Training would be offered for several categories of specialists, most likely the following 4 categories; Sampling Technician, LBP Inspector/Risk Assessor, Abatement Contractors, and Abatement Workers. A competitive procurement process would be utilized to select the training providers, most likely through an RFP.

Allocation for Activity: No new funds are allocated to this activity under Amendment # 4. This brings the total allocated for this activity under Action Plan # 2 to \$750,000, and the grand total for the activity under Action Plan # 1 and Action Plan # 2 to \$1,000,000.

**C. Housing and Commercial Property Buyouts – FEMA Match**

CDBG funds from the previous HUD disaster appropriation will be used as the 25% local match required for the FEMA buyouts in flood-prone areas.

1. Allocation for Activity: Amendment # 15 reduced the amount under this activity by \$3,520,622. Amendment # 17 reduced the amount under this activity by \$1,253,600. Amendment # 18 reduces this amount under this activity by \$572,562. Technical Modification # 11 further reduced this activity by \$521,020. Technical Modification # 13 increased

this activity by \$1,000,000. Tech Modification # 14 reduced this activity by \$958,285. This brings the total allocated to this activity to \$10,473,911 under Action Plan 2. \$4,991,048 is allocated to this activity under Action Plan # 1, bringing the grand total in both allocations to \$15,464,959.

2. Eligible Applicants: Eligible applicants to the FEMA Hazard Mitigation Grant Program

3a Threshold criterion:

(i) Receipt of an award commitment for the FEMA Hazard Mitigation Grant Program for buyouts.

3b. Criterion for Selection:

(ii) Projects will be funded in order of priority determined by Iowa Homeland Security Emergency Management Division.

4. Grant Size limits: Limited to 15% of the total for buyouts in approved FEMA Hazard Mitigation Grant Programs awards.

#### **D. Housing and Commercial Property Buyouts – Non-FEMA**

For proposed property buyout programs in flood-prone areas for which FEMA funds are not available, CDBG funds will be available to cover all- or a large portion of the cost.

1. Allocation for Activity: Amendment # 16 reduced the amount under this activity by \$18,666,332. Amendment # 17 reduced the amount under this activity by \$35,095,245. Amendment # 18 reduced the amount of this activity by \$775,332. Technical Modification # 11 further reduces the amount under this activity by \$1,009,718. Technical Modification # 12 reduced this activity by \$508,619 and Technical Modification # 13 further reduced this activity by \$7,066. This brings the total allocated for this activity under Action Plan # 2 to \$168,718,219. No funds were allocated for this activity under Action Plan # 1.

2. Eligible Applicants: City and county governments

3a Threshold criterion:

(i) Cities and counties that are within the declared disaster areas and have documented proof of an impact that occurred as a result of the Presidential declared disaster DR-1763.

3b. Criterion for Selection:

(ii) Overall level of damage in the proposed buyout area, as determined by condemnation, flood levels and/or status as beyond reasonable repair for each property.

(iii) Extent to which proposed buyout program supports overall flood mitigation plans for the area and community.

4. Grant Size limits: There is no grant size limit per award.

#### **E. New Housing Production**

Assistance will be provided to developers of new affordable rental and owner-occupied housing. These units will replace housing lost due to the disaster. The assistance may also be used for streets, sewer and water extensions linked to development of replacement housing.

1. Allocation for Activity: Amendment # 17 increased this allocation by \$46,866,390. Amendment # 18 decreased the amount of this activity by \$837,512, Technical Modification # 12 increased this activity by \$508,619, Technical Modification # 13 further increased this activity by \$3,584,993 and Technical Modification # 14 increased this activity by \$958,285 which brings the total allocated for this activity under Action Plan # 2 to \$240,277,010. The grand total for the activity under Action Plan # 1 and Action Plan # 2 is \$303,471,632.

2. Eligible Applicants: City and county governments, and for-profit and non-profit developers

3a. Threshold criterion:

(i) All projects will be located in Presidential-declared disaster counties.

3b. Criteria for Selection New Multi-Family Housing Production Rounds 1-4:

(ii) The degree to which the proposed project or activity is consistent with sustainability and smart growth principals and the degree to which the project or activity exceeds the Iowa Green Communities criteria.

(iii) How well does the applicant explain the project or activity objectives?

(iv) How well does the project further orderly development?

(v) What readiness level does the applicant show?

(vi) Proportion of units affordable to low- and moderate income household

(vii) For Rounds 1 and 2 only, priority will be given to projects involving the disaster set-aside of the Low Income Housing Tax Credit program administered by the Iowa Finance Authority.

(viii) For Round 4 funds will be awarded on a first come-first served; most ready to proceed after evaluation of proposals.

3c. Criteria for Selection New Multi-Family Housing Production Rounds 5-6:

(ii) The degree to which the proposed project or activity is consistent with sustainability and smart growth principals and the degree to which the project or activity exceeds the Iowa Green Communities criteria.

(iii) How well does the applicant explain the project or activity objectives?

(iv) How developed are the plans, renderings specifications provided?

(v) How clear are the site plans and location maps?

(vi) How well does the project further orderly development?

(vii) How shovel ready is the project?

(viii) How well documented are the other funding sources?

(ix) Percentage of units to be CDBG assisted (LMI households).

(x) What need is explained and documented in the application?

(xi) How do escalators affect proforma?

(xii) How is the project related to disaster of 2008?

(xiii) Is the project adaptive re-use, historic preservation, upper story, conversion or in-fill? (Round 6 only)

(xiv) Level of impact compared to the amount of funding requested.

All criteria will be weighted equally.

4. Grant Size limits: Maximum per project cap limitations and/or per unit development caps, if applicable, for Multi-family Housing Production rounds are as follows:

(a) Round 1 maximum per project cap limitation of \$1.5 million and maximum unit development cost of \$60,000 per housing unit, except \$66,000 per unit for projects that involve adaptive re-use.

(b) Round 2 maximum per project cap limitation of \$3 million and maximum unit development cost of \$60,000 per housing unit, except \$66,000 per unit for projects that involve adaptive re-use.

(c) Round 3 maximum per project cap limitation of \$6 million.

(d) Round 4 maximum per project cap limitation of \$3 million.

(e) Round 5 maximum per project cap limitation of \$3 million.

(f) Round 6 maximum per project cap limitation of \$3 million.

Both single family down payment assistance and multi-family new production were funded under this activity each round of funding had specific eligibility and award specifications. See guidelines for details.

## **II. ECONOMIC DEVELOPMENT**

### **F. Small Business Stimulus**

Business owners suffering physical damage or economic loss will be offered forgivable loans up to \$50,000. The purpose of these loans is to provide funds to help ensure business survival, and, to the extent possible, to remain in- or move back to the area of their original pre-flood location.

1. Allocation for Activity: No new funds are allocated to this activity under Amendment # 4. \$5 million in existing funds from Action Plan # 2 are transferred from this activity to Activity G. below, Business Assistance Program. The result is that no funds are allocated for this activity under Action Plan # 2. The total for the activity allocated under Action Plan # 1 is \$16 million. In addition, \$15 million in state funds have been allocated to this activity.

2. Eligible Applicants: The same eligible applicants listed under Activity A. above, “Housing repair/ rehabilitation, homebuyer assistance, and interim mortgage assistance”, are the eligible applicants for this activity.

3. Threshold Criteria:

- (i) Capability and experience with business assistance programs, especially disaster relief
- (ii) Commitment to use the following criteria for assistance to individual businesses:
  - (a.) Business suffered physical damage or economic loss due to the 2008 disasters.
  - (b.) Receipt of a disaster loan from the U.S. Small Business Administration (SBA), a financial institution, or an economic development corporation or other equivalent types of loans.
  - (c.) Assistance to be provided as a forgivable loan equal to 25% of the loan received under (b), up to a maximum of \$50,000.
  - (d.) Commitment to re-open business within 12 month of receipt of assistance

All applicants meeting the threshold criteria will be selected.

4. Program Grant Size: Grants to local program operators will be based on the total approved SBA disaster loan amounts within the operator’s jurisdiction as of September 17, 2008, as a percent of the total SBA disaster loan amount awarded in the state. Since SBA figures have only been available at the county level, city percentages were calculated by multiplying the county SBA loan amount percentage times the city’s percentage of the county’s FEMA Housing Assistance. Percentage funds distributions by eligible applicant for both the original \$15 million and the current \$5 million are as follows:

Area 1: 6.67%	Cedar Falls: 3.09%
Area 2: 2.40%	Cedar Rapids: 61.52%
Area 3: 0.04%	Des Moines: 0.73%
Area 4: 5.63%	Iowa City: 7.40%
Area 5: 9.75%	Waterloo: 2.28%
Area 6: 0.48%	

Redistribution of unused funds. IDED will monitor recipients’ levels of progress in this activity. Should it become apparent that needs within a recipient’s jurisdiction have been met, or are close to being met, IDED will either exercise contractual requirements to reduce grant amounts, or seek a voluntary agreement with the recipient to reduce the amount awarded to accommodate the actual need. Recovered funds will first be distributed to any recipients that have remaining unfunded needs under this activity. Any remaining funds after this distribution will become available for use in the “Business Assistance Program” in activity G. below.



## G. Business Assistance Program

The purpose of the disaster recovery business assistance program is to provide financial assistance to employers whose existence is threatened due to unmet needs in one or more of the following areas:

Business Rental Assistance: This program element of the overall Business Assistance activity is for businesses remaining in or locating in rental space that was physically damaged by the 2008 natural disaster(s). Assistance is in the form of rental assistance to help offset building rental lease payments for a maximum of six months, plus reimbursement of up to 100% of business expenses associated with purchasing such as machinery and equipment, office equipment, furniture, supplies and inventory, or computer hardware, or for startup businesses. Awards are not to exceed a total amount of \$50,000 per business for rental assistance, and up to \$750,000 per business for associated business expenses described above. In-home businesses are not eligible for assistance. (The Business Rental Assistance activity created in Amendment 1 is incorporated into this element)

Business Equipment Reimbursement: This program element is designed to assist businesses that (1) owned their own building, or (2) leased rental space, during the 2008 natural disaster(s). The building or rental space must have sustained physical damage. Awards are limited to up to 100% of business expenses associated with purchasing machinery and equipment, office equipment, furniture, supplies and inventory, not to exceed a total amount of up to \$750,000 per business. Any business awarded funds must be located in a presidentially-declared county at the time assistance is provided. Businesses eligible under the Business Rental Assistance element, above, will not be eligible for additional assistance under this element. Additionally, in-home businesses are not eligible for assistance.

Flood Insurance Reimbursement: This program element is designed to reimburse businesses for the cost of flood/sewer backup and related business interruption insurance coverage. Businesses are eligible if they meet one of the following criteria: (1) had water in their building as a result of the 2008 disaster(s), involving overland flow or sewer backup; and/or (2) are located in the 100 or 500-year floodplain. Under option (2), businesses that located to either floodplain subsequent to the disaster may also be eligible for assistance. Reimbursement would be for three years of coverage, up to \$30,000 per qualified business per year.

Loan Interest Expense: This program element provides funds to pay for interest costs of businesses who obtained SBA or private lender loans for disaster recovery. The continued existence of many businesses is threatened by the expense of new debt acquired as a result of the disaster. This problem is made more acute by the recession. Funds will be provided to individual businesses, for a maximum of three (3) years, not to exceed \$250,000 per business.

Commercial Rental Income Gap: This program element is designed to assist with cash flow for commercial building owners to offset loss of revenue from vacant rental space that was physically damaged by the disaster. Up to 12 months lost rent are available to commercial landlords, up to a maximum of \$100,000 per unit.

Residential Landlord Business Support: This program element is designed to compensate for lost rental income for residential landlords providing affordable housing, whose rental units were physically damaged by the disaster. Landlords may receive up to \$15,000 per business.

Disaster Case Management Services for Businesses This program element is an adjunct to all of the assistance program elements listed above, to ensure access to the programs and necessary documentation for disaster-affected businesses. Disaster case managers for business will plan, secure, coordinate, monitor, and advocate for businesses affected by disaster. Services include:

- Guiding businesses through the loss verification documentation process to determine eligibility for funding programs and gaps in current programs.
- Assisting business with grant opportunities and long-term debt reduction.
- Providing resources for businesses to review and modify their business plans for the changed market.
- Gathering benchmark data to track recovery progress.

Recipients of any one or more of the forms of assistance above will be eligible for case management services.

NW Ist Business Corridor Relocation Assistance This program is designed to provide relocation assistance to Cedar Rapids businesses located in the NW 1<sup>st</sup> Corridor who are now on the “wetside” of the proposed levee. These

businesses repaired their businesses prior to their knowledge of the levee location and will be reimbursed for the gap between the insurance proceeds/ pre-flood property value and the actual cost to repair their business.

1. Allocation for Activity: Amendment # 15 reduced funds allocated to this activity by \$3,453,390. Amendment # 17 reduces funds allocated to this activity by \$1,568,953. This brings the total allocated for this activity under Action Plan # 2 to \$84,165,147. No funds were allocated for this activity under Action Plan # 1.

2. Eligible Applicants: The same eligible applicants listed under Activity A. above, “Housing repair/ rehabilitation, homebuyer assistance, and interim mortgage assistance”, are the eligible applicants for this activity. Selected applicants will administer the business assistance program within their respective geographic areas.

3. Threshold and Selection Criteria: All applicants showing capability and experience with business assistance programs, as evidenced by successful administration of the “Small Business Stimulus” activity described in F. above, will be selected.

4. Program Grants: Funds will be awarded to selected administrators on a first-come, first-served basis, based on amounts needed for business applications approved and forwarded to IDED.

The program elements under activity G will fit under the CDBG eligible category of economic development assistance to for-profit and non-profit business pursuant to Sections 105(a)(4), 105(a)(8), 105(a)(15), and 105(a)(17), meeting the CDBG national objective of urgent need. Any program guidelines developed to implement this program shall be interpreted to limit any assistance provided thereunder to only those purposes allowed under those sections. Iowa Code section 504.141(6) defines a nonprofit business as a “public benefit, mutual benefit, or religious corporation,” with each one of those terms being defined further under the Iowa non-profit corporation act.

#### H. SBA Loan Review

Assuming HUD approval of Amendment # 2 to Action Plan # 2, IDED will contract with the Small Business Development Center (SBDC) at Iowa State University to provide services to review and renegotiate Small Business Administration (SBA) disaster loans. The SBA has agreed to revisit and adjust amortization schedules on disaster loans provided that the borrower consults with an SBDC office.

The volume of expected requests for this service is such that SBDC will have to contract for additional loan specialists. The current economic climate has exacerbated the problems for many businesses recovering from last summer’s disasters. When disaster victims apply for SBA disaster loans, repayment schedules are based on pre-disaster cash flows. Many disaster loan borrowers are now having difficulty meeting repayment schedules because they cannot achieve pre-disaster cash flows. This activity meets the national objective of addressing urgent community need.

1. Allocation for Activity: \$200,000 was originally budgeted for this activity under Amendment # 2 to Action Plan # 2. Amendment # 12 transferred \$192,346 to new Activity V. Planning Grants for Section 106, leaving a balance of \$7,654 for this activity. Amendment # 15 reduces the funds allocated to this activity by \$1,321. This brings the total allocated for this activity to \$6,333. This funding decrease is appropriate because the demand for this program activity was far below what was anticipated and all needs have been met with funds expended. The activity is complete.

#### I. Cedar Rapids Steam Conversion

This financial assistance program benefits the former users that relied on Alliant Energy’s Sixth Street and Prairie Creek generating stations in Cedar Rapids, which were heavily damaged by the 2008 flood. A total of \$16 million, which includes approximately \$11 million in CDBG disaster recovery funds combined with \$5 million in state infrastructure funds, will go to a program to partially reduce the cost of individual company conversion from the steam plant to alternate power sources such as natural gas or electricity. Another approximately \$5 million in CDBG funds is allocated to a related program to help “buy-down” the cost of higher power costs due to the needed conversions. The total allocation between Conversion and Rate Buy-down will not exceed \$16 million. Both components of this activity are necessary for many businesses to remain in operation in the city.

Conversion from former steam plant. The City of Cedar Rapids will award funds for conversion to building owners utilizing the low pressure system based on conversion costs. The City will award funds to those utilizing the high pressure system based on factors to include actual conversion costs, proportional usage of the former steam plant, and an energy efficiency component developed by the State of Iowa's Office of Energy Independence.

Power rate buy-down. The City will reimburse former steam plant customers for a portion of the difference between pre-flood steam plant charges and user costs for their new energy source. The allocation of funds for the rate buy down program will be based on factors including status as a "high pressure" or "low pressure" user of the former steam plant, and proportional share of actual usage.

Allocation for Activity: Amendment # 15 reduced the amount under this activity by \$320,000. Amendment # 17 reduces the amount under this activity by \$98,174. This brings the total allocation of CDBG Disaster Recovery funds for this activity under Action Plan # 2 to \$15,581,826. No funds are allocated for this program from Action Plan # 1. This activity will fit under economic development assistance to for-profit and nonprofit businesses pursuant to Sections 105(a)(2), 105(a)(4), 105(a)(8), 105(a)(15), and 105(a)(17), meeting the CDBG national objective of urgent need. Any program guidelines developed to implement this program shall be interpreted to limit any assistance provided thereunder to only those purposes allowed under those sections. Iowa Code section 504.141(6) defines a nonprofit business as a "public benefit, mutual benefit, or religious corporation," with each one of those terms being defined further under the Iowa non-profit corporation act. This activity is complete.

### **III. PUBLIC FACILITIES AND SERVICES**

#### **J. Infrastructure – Match for FEMA Hazard Mitigation Projects**

CDBG funds from the previous HUD disaster appropriation will be used as the 15% local match required for infrastructure projects funded under the FEMA Hazard Mitigation Program. However, the appropriation covered by this Plan (Public Law 110-329) specifically prohibits the use of funds for activities reimbursable by, or for which funds are made available by, the Federal Emergency Management Agency or the Army Corps of Engineers, and none of the funds may be used as a matching requirement, share, or contribution for any other Federal program.

1. Allocation for Activity: No funds are allocated to this activity under Action Plan # 2. \$16 million was allocated to this activity under Action Plan # 1.

2. Eligible Applicants: Recipients of awards from the FEMA Hazard Mitigation Grant Program

3a Threshold criterion: Receipt of an award commitment for the FEMA Hazard Mitigation Grant Program for infrastructure projects.

3b. Criterion for Selection: Projects will be funded in order of priority determined by Iowa Homeland Security Emergency Management Division.

4. Grant Size limits: Limited to 15% of the total for an infrastructure project in an approved FEMA Hazard Mitigation Grant Programs awards.

#### **K. Public Infrastructure – Non-FEMA**

This assistance is for projects that FEMA or other sources cannot fund, but which are nevertheless critical to recovery. Examples include damaged water and sewer systems, storm drainage, levees, roads and bridges.

1. Allocation for Activity: Amendment # 15 reduced the amount under this activity by \$1,753,383. An additional \$1,048,603 was allocated to this activity under Amendment # 17 and Amendment # 18 decreased the amount of this activity by \$176,960. Technical Modification # 11 increased the amount of this activity by \$1,548,640 and Technical Modification # 13 further increased this activity by \$860,809 which brings the total allocated for this activity under

Action Plan # 2 to \$148,189,884. The grand total for the activity under Action Plan # 1 and Action Plan # 2 is \$178,204,861.

2. Eligible Applicants: City and county governments

3a. Threshold Criteria

- (i) Project will address need arising from the 2008 disaster
- (ii) Project is the best alternative to resolve the need

3b. Criteria for Selection:

- (iii) Urgency of the need for the facility; threat to health, safety, or welfare
- (iv) Sufficient other local, state, or federal funds either are not available or cannot be obtained in the time frame required.
- (v) Use of additional local taxes or user fees in place of the requested assistance would place undue burden on residents, especially low- and moderate income households.
- (vi) Likelihood that the project will be completed in a timely manner.
- (vii) Benefit to low and moderate income persons

All criteria will be weighted equally.

4. Grant Size limits: No single project may be awarded more than \$25 million.

L. Disaster Recovery Case Management:

Disaster recovery case management assistance will be provided throughout the declared disaster area in Iowa. IDED will contract directly for these services.

The primary purpose of the Disaster Recovery Case Management activity is to ensure that all Iowans receive the necessary assistance and access to resources to recover from disaster. Case advocates will establish one-on-one relationships with individual clients impacted, to assess disaster related needs, develop long term recovery goals and plans, and implement steps to achieve their recovery goal.

The Rebuild Iowa Office will manage the Iowa Disaster Recovery Case Management system. Direct services for this activity will be subcontracted to the Iowa Disaster Human Resources Council and not-for profit community service agencies sponsoring local Long Term Recovery Committees. These agencies have been identified as the following:

Cedar Valley United Way, Buchanan County CPC, Central Iowa Chapter of the American Red Cross, Clayton County Food Shelf, Community Foundation of Greater Dubuque, United Way of the Quad Cities, United Way of Muscatine, United Way of East Central Iowa, Episcopal Diocese of Iowa, United Way of Johnson County, United Way of Story County, Northeast Iowa Community Action Corporation, and Lutheran Services of Iowa.

This is a public service under HUD CDBG eligibility guidelines, for which the national objective would be urgent need due to disaster. The Iowa Disaster Recovery Case Management project will provide support for case management services for up to 5,185 individuals. This figure is derived from the national standard for providing disaster case management services to 13% of FEMA registrants; in Iowa, we have had 39,884 registrants to date. Typically, one case manager will provide 48 hours per case and carry a caseload of up to 50 cases. RIO allocation of funds to subcontractor agencies will be based on estimates of the number of individuals within areas served by the Long Term Recovery Committee(s) sponsored by the subcontractor agencies. For those counties that have not formed a Long Term Recovery Committee, the Iowa Disaster Human Resource Council (IDHRC) will provide the disaster case management.

1. Allocation for Activity: \$ 1,000,000 was originally allocated to this activity under Amendment # 4. Amendment # 12 reduced this amount by \$307,654. Amendment # 13 reduces the balance of \$692,346 for this activity to zero for Action Plan # 2. The total allocated for this activity is now the amount allocated under Action Plan # 1, which is \$1,302,200. This funding decrease is appropriate because the program is completed and closed out. The service providers specified above conducted extensive outreach activities within their respective geographic areas, to seek and assist all eligible persons. Application periods for assistance have expired. The service providers have confirmed that there are no unresolved applications, nor any remaining obligations that would require funding under Action Plan # 2.

M. Floodplain Mapping

Funds will be used to develop new flood plain maps and to update and improve existing maps. Accurate and up to date flood plain maps showing the areas that could be flooded are essential tools for reducing flood damages. Currently, only about one third of Iowa has accurate and up to date flood maps.

The maps and associated data will be stored in digital formats so that it will be compatible with computer technology such as geographic information systems or computer aided drafting programs. This will also ensure that the data will be available for use by everyone through various web-based applications. The digital format will also allow the data and maps to be used for real-time flood inundation mapping during flood emergencies. The State will work closely with FEMA to ensure that the map products produced meet FEMA technical standards and can be published as Digital Flood Insurance Rate Maps (DFIRM). We will also actively seek input from the local officials in the areas being mapped to ensure accuracy and usability of the final mapping product.

Allocation for Activity - Amendment # 15 reduces the amount under this activity by \$296,000. This brings the total allocated for this activity under Action Plan # 2 to \$14,704,000. No funds were allocated to this activity under Action Plan # 1. IEDA will contract directly for this.

N. Green Building Training

The purpose of this activity is to rebuild in a manner that will support the long-term sustainability of buildings, building owners and occupants and the communities they live in. Home and building owners, contractors, subcontractors, material and product suppliers, local governments, and code officials will receive training to support building practices that will result in:

- Reduction in future impacts from disasters
- Lower operating costs for building and home owners
- Implementation of stormwater best management practices to reduce number & size of flood events

Trainings will follow these categories consistent with the Iowa Green Communities Criteria:

• Integrated Design	• Site Location & Improvements	• Materials Selection
• Energy Efficiency	• Healthy Living Environments	• Operations & Maintenance
• Hazard Mitigation	• Water Conservation	

The trainings are proposed to be focused on Eastern and Central Iowa and consist of the following mix:

Residential professional and homeowner trainings

- Two-day residential green build/ re-build professional trainings
- One-day residential green build/ re-build professional advanced trainings
- Green building homeowner seminars
- On-site classes - New/rehab demo home series (open to professionals and homeowners)
- Topic specific homeowner seminars

HVAC/Energy professional and homeowner trainings

- Two-day energy rater/performance professional trainings – around state
- On-site individualized professional follow-up trainings – same locations
- Homeowner trainings – same locations
- Home Energy Rater certification training
- Building code/energy code official training on 2009 International Energy Conservation Code

Commercial

- One-day professional trainings around the state (open to architects, builders, building owners, suppliers, etc.)

Allocation for Activity – Amendment # 15 reduces the amount under this activity by \$100,000. This brings the total allocated for this activity under Action Plan # 2 to \$900,000. No funds were allocated to this activity under Action Plan # 1. IEDA will contract directly for this.

#### O. Promotion of National Flood Insurance Program

This activity will involve implementation of a three-year flood outreach plan that will maintain a steady level of awareness for the need for flood insurance and related mitigation efforts. The activity will include three elements: statewide media efforts during flood awareness month to flood plain communities, door to door outreach, and community panels. The statewide media efforts will encourage Iowans to learn about flood insurance and flood mitigation. The door to door campaign will consist of placing flood insurance and related information on the doors of all homes located in flood plains. Community panels will involve ten meetings around the state, centering on communities and areas with the greatest flood risk, to provide information to community leaders and interested citizens and allow them to ask questions to agencies involved in flood insurance and mitigation. This activity meets the national objective of addressing urgent community need.

Allocation for Activity – \$216,000 is allocated to this activity under Amendment # 4. Amendment # 17 reduces the amount under this activity by \$1,000. This brings the total allocated for this activity under Action Plan # 2 to \$215,000. No funds are allocated to this activity in Action Plan 1. IDEED will contract directly for this activity.

P. Planning Grants This program is designed to assist disaster-impacted communities to expand their planning efforts to include hazard mitigation strategies. Recipients will utilize Smart Planning Principles that include a variety of methods to avoid or mitigate damage due to natural disasters. These principles were developed and passed in the 2010 session of the Iowa Legislature, as part of state government actions to recover from the 2008 disasters. Development and adoption of forward-thinking land-use plans will guide use of long-term recovery efforts and subsequent land-use decisions throughout communities, and reduce existing or future development in disaster-risk areas.

1. Allocation for Activity: Amendment # 15 reduced the amount under this activity by \$44,290. Amendment # 17 reduces the amount under this activity by \$88,775. Amendment # 18 reduces the amount under this activity by \$90. This brings the total allocated for this activity under Action Plan # 2 to \$866,845. No funds are allocated to this activity in Action Plan 1.

2. Eligible Applicants: City and county governments

3a. Threshold criterion:

- (i) All applicants will be in Presidential-declared disaster counties, and will have been impacted by the 2008 disasters (FEMA Public Assistance and/or Individual Assistance was awarded within their boundaries).
- (ii) A one-to one match is required

3b. Criteria for Selection:

- (iii) Overall strength of the proposal
- (iv) Inclusion of hazard mitigation in the plan

- (v) Use of the guidelines in the new Iowa Smart Planning legislation
- (vi) Priority to multi-jurisdictional plans
- (vii) Priority to plans that include the formation of a Watershed Management Authority

4. Grant Size limits: \$50,000 per jurisdiction included in the application

#### Q. Watershed Planning

In order to prevent or mitigate future floods, the Iowa Legislature has enabled the creation of watershed management authorities. The floods of 2008 in Iowa have shown the inadequacy of past piecemeal approaches in preventing damage from major floods. The purpose of watershed management is to rehabilitate flood prevention systems in a coordinated fashion, to restore and enhance Iowa's drainage infrastructure in substantially more effective ways

Watershed authorities will be created by intergovernmental agreement among two or more local governments that share a common watershed. Functions of the authorities include assessment of flood risks and water quality, and options for improving them within the watershed, monitoring federal activities and education of residents on watershed management, and allocation of funds made available for water quality and flood mitigation. Elements within this activity are as follows:

1. \$80,000 will be provided to the Iowa Department of Natural Resources (IDNR) to work with consortia of local governments to establish Watershed Management Authorities (WMA's), and will provide hands-on technical assistance in the creation of watershed management plans. Specifically, IDNR will prepare a request for proposals for the formation of WMAs, select successful proposals, consult and guide successful proposals in their work to establish a WMA, and provide periodic reports to IDED.

Selection of prospective WMA's and planning projects will be based on the extent to which applicants:

1. Add value to watershed management
2. Encourage comprehensive, multi-objective planning
3. Demonstrate long term sustainability (20 years)
4. Establish new or expanded watershed entities
5. Encourage inclusivity among political subdivisions
6. Leverage funding, in-kind services, leadership, and networks
7. Are generally of a HUC-12 in size

2. \$1,232,345 will be committed to consortia of local governments selected in element one above, both for formation of WMA's and for WMA watershed planning. The formation of WMAs may include, among other things, legal fees and facilitation costs. Watershed planning may include consultation fees, facilitation costs, and staff time. IDED will contract directly with a "lead" local government in each prospective WMA area for this element.

3. \$756,819 to the Iowa Flood Center at the University of Iowa to conduct planning involving a detailed assessment of watershed drainage needs and choice of specific watershed drainage improvements that are to be designed and constructed.

Allocation for Activity – Amendment # 15 increased the amount under this activity by \$529,335. Amendment # 17 decreases the amount under this activity by \$16,990. The reduction represents deobligated funds for the creation of a watershed management authority. Amendment # 19 further reduces the amount by \$17,902. This brings the total allocated for this activity under Action Plan # 2 to \$2,051,262. No funds were allocated to this activity under Action Plan # 1

This activity will fit under the CDBG eligible activity category of planning and capacity building (Section 105(a)(12)). As this is a planning activity, no designated national objective is required.

#### R. Watershed Projects

Permanent and dependable protection against future floods is critical to future economic revitalization. The 2008 disasters threatened the existence of hundreds of businesses and thousands of jobs. These businesses employed over 19,000 persons whose jobs were threatened with elimination, representing an annual payroll in excess of \$700 million. Potential for flooding of farmland threatens revitalization of the agricultural economy, land values, and the tax base for rural communities. The challenge is to restore drainage systems to provide protection to businesses and agricultural land, with acceptable costs to businesses and minimal reduction in row crop acreage.

The purpose of this activity is to fund construction projects in individual watersheds that are selected and planned for under Activity Q above. Watershed management projects would restore more subsurface hydrology through better infiltration, and control overland flow through judicious application of innovative water retention technologies. This will lower the amount and frequency of floods.

Elements within this activity are as follows:

1. \$2,853,121 in funding for the Iowa Flood Center at the University of Iowa to design, oversee construction, and evaluate performance of selected watershed construction projects.
2. \$5,190,060 for contracts with “lead” local government subrecipients representing WMA’s or watershed-based consortia of local governments, for construction of selected watershed projects. A minimum of three watersheds will be selected. Selection of the watersheds and projects to be funded will be based on the extent to which applicants’ proposed projects will:
  - Maximize soil water holding capacity from precipitation.
  - Minimize severe scour erosion and sand deposition during floods.
  - Manage water runoff in uplands under saturated soil moisture conditions.
  - Reduce and mitigate structural and nonstructural flood damage.

Allocation for Activity – \$8,043,181 is allocated to this activity under Amendment # 11., which is also the total allocated for this activity under Action Plan # 2. No funds were allocated to this activity under Action Plan # 1. IDED will contract directly for this activity.

This activity will fit under the CDBG eligible activity category of public facilities and improvements (Section 105(a)(2)), under the national objectives of urgent need and LMI area benefit.

#### S. Flood Plain Education

The Iowa State University Agricultural Extension Service, the Iowa Water Resources Coordinating Council, and agency members of the council will work with flood plain and hydrology experts to educate the general public about flood plains, flood risks, and basic flood plain management principles. This educational effort shall include developing educational materials and programs in consultation with flood plain experts.

Allocation for Activity – \$400,000 is allocated to this activity under Amendment # 8., which is also the total allocated for this activity under Action Plan # 2. No funds were allocated to this activity under Action Plan # 1. IDED will contract directly for this.

This activity will fit under the CDBG eligible activity category of Public Services (Section 105(a)(8)), meeting the CDBG national objective of urgent need.

#### T. Emergency Housing Revitalization

This activity has been discontinued, and the \$6,638,620 allocated for this activity under Amendment # 10 is reduced to zero by Amendment # 13.



#### U. Emergency Economic Revitalization

This activity has been discontinued, and the \$1,000,000 allocated for this activity under Amendment # 10 is reduced to zero by Amendment # 13.

#### V. Planning Grants for Section 106

Section 106 of the National Historic Preservation Act (NHPA) requires state agencies using federal funds to take into account the effects that their Federally-funded activities and programs have on significant historic properties, i.e., those listed in or eligible for the National Register of Historic Places. Ultimately, if a historic property will be adversely affected, the responsible agency must consult with other involved parties and explore alternatives to avoid or reduce harm to that property.

Therefore, planning grants in this activity are available for recipients of buyout funds under Activities C and D, above, to conduct such plans as necessary to satisfy Section 106 requirements. These plans will assess options to avoid, minimize, or mitigate any adverse affects of the buyout program on historic properties located in the areas designated for buyouts.

1. Allocation for Activity: \$500,000 is allocated to this activity under Amendment # 12. Amendment # 18 reduces the amount under this activity by \$9,600. This brings the total allocated for this activity to \$490,400. No funds were allocated to this activity under Action Plan 1.

2. Eligible Applicants: City and County governments

3a Threshold criterion:

(i) Recipients of grant(s) under Activity C., Housing and Commercial Property Buyouts – FEMA Match, or Activity D., Housing and Commercial Property Buyouts – Non-FEMA

3b. Criteria for Selection:

- (ii) The proposed planning is necessary to comply with Section 106 requirements
- (iii) Funding is on a first-come, first-served basis

4. Grant Size Limits: None

5. Eligibility and National Objective: This activity is eligible under Section 105(a)(12) of the Housing and Community Development Act of 1974. The national objective requirement is not applicable to this activity, per the waiver and alternative requirement applicable to these funds.

### **IV. ADMINISTRATION**

#### W. State and Local General Administration

State and local general administration will include staff, equipment, consultant, and other operating costs involved in selection, funding, assisting, and monitoring local projects, detailed quarterly reporting to HUD, documentation of adherence to all laws, and other expenses.

1. Allocation for Activity: Actual expenses up to 5% of all CDBG disaster funds received by the State, less \$1 million, are allocated to this activity. \$402,032 is allocated to this activity under Amendment # 10. Amendment # 17 reduced the amount under this activity by \$8,500,000. Amendment # 18 increased this activity by \$2,531,338. Technical Modification # 13 reduced this activity by \$5,438,739. This brings the total allocated for this activity under Action Plan # 2 to \$24,301,530, and the grand total for the activity under Action Plan # 1 and Action Plan # 2 to \$31,500,009.

## REPLACEMENT HOUSING ALLOWANCE DUPLICATION OF BENEFITS POLICY

Purpose: In 2008 the median price of a home sold in Iowa was \$130,000. The average price of a home included in property acquisition programs as a result of the 2008 disasters is \$89,000 leaving people who need to move with an average cost of replacement housing of just over \$40,000. For this reason we will consider all income qualified homeowners (<100% AMI) participating in the buyout eligible for up to the maximum \$25,000 in Replacement Housing Allowance (RHA) allowed by the Stafford Act in addition to the pre-flood fair market value (FMV) of the home being bought out.

Summary: **This is a new duplication of benefits policy for RHA.** This new policy ensures that all income qualified (<100% AMI) buyout participants are eligible for up to \$25,000 in RHA in addition to the pre-flood fair market value of their buyout home. This result holds true regardless of which buyout program they are participating in, their pre-disaster mortgage, or how much assistance they have received from FEMA, insurance or other duplicating benefits. Those who are not income qualified and received replacement housing before the buyout will be allowed to keep up to \$25,000 in RHA. Those who received more than the \$25,000 in RHA before the buyout may have this additional assistance forgiven if and only if recapturing the amount received beyond the \$25,000 allowance would prevent them from clearing their mortgage.

### **Key Provisions:**

- If an income qualified buyout participant decides to purchase a home in Iowa they may qualify for up to \$25,000 in Replacement Housing Allowance (RHA). RHA equals the difference between the replacement housing purchase price and the buyout home pre-flood FMV with a \$25,000 maximum.
- To ensure that all applicants are treated equally, all applicants who received less than \$25,000 in Home Buyer (down payment) Assistance pre-buyout may apply for additional RHA in an amount that brings their total assistance from all sources to \$25,000 plus the pre-flood FMV of their buyout home.
- Any RHA received prior to the buyout in excess of the \$25,000 allowance will count as a duplication of benefit against the Buyout. Because of this, some applicants may not be able to clear their mortgage. In these few cases, the applicant will be identified as having an “Unmet Need”. Those considered to have this “Unmet Need” will have their RHA duplicating benefit forgiven. This ensures a successful buyout.
- Those who received RHA through the Homebuyer Assistance program will have a lien on their buyout property. If an applicant has received more than \$25,000 assistance towards a new home, the lien on the buyout property will not be released until the amount that exceeds \$25,000 is paid back. A similar arrangement is made for the State Down Payment Assistance Program except that a retention agreement is used in place of the lien. If the applicant does not have enough net proceeds from the buyout to pay back the lien they may qualify as having an “Unmet Need” (see previous bullet).
- HMGP and CDBG buyouts will result in the same level of total assistance for income qualified participants (buyout at pre-flood FMV and up to \$25,000 in RHA).
- Those who are not income qualified and whose buyout home is located in a 100-year flood plain will be eligible for up to \$10,000 through the Replacement Housing Incentive offered by both the HMGP and CDBG Buyout programs.

## **CONTACT INFORMATION AND LINKS TO ENTITLEMENT CITIES AND COGS**

Contact Information for Entitlement Cities and for COGs is shown in Appendices C and D to this Plan.

## **MONITORING STANDARDS AND PROCEDURES**

The Department will utilize time-tested State of Iowa CDBG Program monitoring policies and procedures for ensuring compliance with federal guidelines. These policies and procedures are consistent with those used by HUD to monitor

state-administered and entitlement programs. In addition, the office of the Auditor of State (which reports to the Governor and the Legislature) and HUD frequently perform monitoring, assessment or auditing to ensure that the Department is in compliance with state and federal rules and regulations and to assist the state in providing guidance to CDBG recipients. The CDBG Program responds to these independent internal audit functions by modifying internal and external administration of the funding.

The Department will utilize its existing monitoring process to ensure that all contracts funded under this disaster recovery allocation are carried out in accordance with federal and state laws, rules and regulations. Expenditures will be disallowed if the use of the funds does not address disaster-related needs or are clearly not for the greatest needs. In such case, the local government receiving the funding would be required to refund the amount of the grant that was disallowed.

The Department will develop revised monitoring checklists, appropriate for the Disaster Recovery funding, and applicable waivers and alternative requirements. In addition to the usual information collected through the CDBG Monitoring Checklist, the revised version will include a set of questions designed to address the issue of non-duplication of benefits.

In determining appropriate monitoring of the grant, the Department will consider prior CDBG grant administration, audit findings, as well as factors such as complexity of the project. The Department will determine the areas to be monitored, the number of monitoring visits, and their frequency. All grants will be monitored at least once on site during the life of the activity. The monitoring will address program compliance with contract provisions, including national objective, financial management, and the requirements of 24 CFR Part 85. The Department will utilize the checklists similar to those used in monitoring regular program activities.

## PROGRAM INCOME

The state will follow the program income guidance provided in the regulations. During the term of the contracts, the recipients are allowed to retain amounts up to \$25,000, as it is not considered program income. After exceeding \$25,000, any program income received is deducted from funds being requested. In this way, the funds are used to increase the amount of funds available for disaster recovery activities. Following grant closeout, entitlement recipients will be allowed to retain program income, as long as the use of the program income follows the regulations that pertain to the original program. Program income received subsequent to grant closeout by all other entities will be submitted to the State for reallocation to other disaster recovery activities. At the time the grant program is closed out by the state, all subsequent program income will be submitted to the state and will become program income to the State's regular CDBG program.

## STEPS THE STATE WILL TAKE TO AVOID OR MITIGATE OCCURRENCES OF FRAUD, ABUSE, AND MISMANAGEMENT

### **1. Administration and Staffing**

The Iowa Department of Economic Development has been designated by Governor Culver as the administrator of Iowa's allocation of the Supplemental Appropriations Act, 2008. Further, the State of Iowa CDBG Program, within the Division of Community Development, will provide technical assistance to local government grant recipients and undertake administrative and monitoring activities to ensure compliance with applicable federal requirements.

As required by federal regulation, the state is contracting with an independent auditor who will independently ensure that program requirements, including non-duplication of benefits, are met, and that continual quality assurance is achieved, and who will report directly to the Governor, or, at a minimum, to the Director of the IDED.

DED will conduct investigations into cases of fraud and abuse by utilizing its standard monitoring procedures and financial review of those instances where suspect. Upon review of findings and working with recipients to establish the validity of questioned costs and subsequent disallowance, we will request repayment from recipient. If repayment demands are not met, IDED will involve the Attorney General and Auditor of State as appropriate.

## **2. Increasing Capacity at Local Level**

For items A and F in the Method of Distribution, the Department will be contracting with five Entitlement Cities and six “lead counties” that will act on behalf of six multi-county areas comprising the remainder of the declared disaster area. In turn, the six counties will each contract with a “lead” Council of Governments to administer the disaster funding. The Department has been working with the Iowa Councils of Governments (COGs) on CDBG administration for over 25 years and we meet regularly with the Iowa Association of Regional Councils. In addition, IDED has been working with the Entitlement City staffs since the disaster to keep them updated on events and timelines. In fact, the Entitlement Cities have participated in several of our conference calls with HUD officials regarding how to implement HUD requirements, etc.

IDED has been providing on-going training to the COGs and Entitlement Cities. The first training session was held on September 22 and 23 to train them on grant administration requirements. Weekly teleconferences are held each Wednesday with the COGs and Entitlement Cities to update them on program requirements and field questions. The Iowa Housing Working Session, focusing on disaster rehab and homeowner programs, was held in Coralville on February 18-19. The Department has sponsored and paid for staff to attend Lead Hazard/Lead Based Paint abatement training (through funds previously allocated, as described under Item B in the Method of Distribution). In addition, we have had numerous on-site meetings and telephone discussions with individual COGs and Entitlement Cities.

## **3. Prevention of Duplication of Benefits**

For Business Assistance Activities, the Department will be providing the Small Business Administration and other lending institutions information regarding the recipients of our assistance so that SBA or other lending institutions can reduce their loan to the recipient accordingly. For Housing Assistance Activities, the Department will work with FEMA and SBA to get recipient data in order to avoid duplication of benefits.

The state is receiving all requests for duplication of benefits, and is issuing verifications of the amounts of other benefits received (FEMA, SBA, Homeowner’s insurance, Flood Insurance, State Jumpstart funds). The process has undergone some changes as it has matured. The current process is an attempt to do a “one and done”. Recipients submit a request for a Duplication of Benefits verification at the time they have the Final Repair Cost available. IDED staff then verifies all amounts, submits it to SBA for their DOB if necessary, and then calculates the award. Both the verification form and the calculation are provided to the recipient agencies by attaching PDFs of the results to the client’s Service Point record, maintaining confidentiality of the information.

We are also providing for a verification process to occur based on the Estimated Repair Costs. This will allow the recipient to obtain the other benefit amounts if their process of determining award amounts requires it. Any projects with verifications based on estimated repair costs will need to be brought back to IDED when the Final Repair Cost is known, at which time IDED will issue the calculation along with an updated verification.

## **4. National Objective**

All activities must meet one of the three national objectives set out in the Housing and Community Development Act (address slum and blight, urgent need, or primarily benefit LMI persons). At least 50% of the Supplemental Funding will be used for activities that meet the National Objective of primarily benefiting persons of low- and moderate-income.

## **5. Administrative Costs**

Subgrantees are strongly encouraged to minimize their administrative costs so that the amount available for program activities will be maximized. To promote this goal, the amount of allowable subgrantee administrative costs will be capped at a reasonable amount for each of the various activity categories (i.e. housing repair, public facilities, business assistance), but will not exceed 10% for any of the categories. In any instance where the subgrantee believes this amount is not sufficient for their activities, they may petition the IDED to allow administrative costs in an amount up to 15 percent of the grant or contract amount.

## **6. Program Changes through Contract Amendments**

All subgrantees will be encouraged to carefully plan projects that meet the stated requirements and to specify activities, associated costs, and proposed accomplishments and beneficiaries in order to reduce the need for amending contracts.

Subgrantees should contact the IDED prior to requesting an amendment or contract modification that affects the budget, activities, beneficiaries, or time frame for accomplishing the proposed activities. Should a proposed

amendment result in the need for modification of the Action Plan, the state will follow the process required by HUD for amending the Action Plan.

Substantial amendments may be cause to review the entire Application submitted to determine if the project is meeting its stated goals and its timelines.

## **7. Documentation**

The use of the disaster funding is contingent upon certain requirements, and both the state and local government will be expected to certify that these requirements will be met or carried out. The chief elected official, or designee authorized by the local governing authority of the local government applying for funds will be required to certify in writing that the grant will be carried out in accordance with applicable laws and regulations.

In addition, local governments will be required to submit or maintain documentation that fully supports the application that is submitted to the Department. Failure to document that the project is needed as a result of the disaster(s), or to mitigate the effects of future disasters, will result in an application being declared ineligible. If this discovery is made after an award has been made, the contract with the local government may be terminated and the local government may have to repay any funds received to that point.

## **8. Reporting**

Each awarded applicant must report on a form provided by the Department on the status of the activities undertaken and the funds drawn. Additional reporting requirements (i.e., annual audits, contractual obligations and minority business enterprise reports, as applicable) will be specified in the Department's contractual agreement. Some recipients may be asked to report using the online Disaster Recovery Grant Reporting system.

The timing and form of the reporting will be different for different activities. The Housing and Business assistance data is kept in a system called Service Point, and will be kept up-to-date by the Recipients. Various fields in this database will be imported into the CDBG System kept at IDED for tracking and reporting purposes. At each quarter, IDED will pull the data from the CDBG System to use for reporting in the DRGR system. Draws for all activities are kept in the CDBG System, giving us up to date information for all programs. Other programs, such as the Infrastructure programs, will be reporting progress along with their draws. Current abilities to track other progress on these projects include costs for Engineering and Architectural costs and percent completion of the project, as well as memo fields for text information. We can pull this information for reports on the required basis.

## **9. Citizen Complaints**

All subgrantees and recipients must establish procedures for responding to citizens' complaints regarding activities carried out utilizing these funds. Citizens should be provided with an appropriate address, phone number, and times during which they may submit such complaints. Subgrantees should provide a written response to every citizen complaint within 15 working days of the complaint the state will be the final arbitrator in these matters.

## **10. Regulatory Requirements**

Subgrantees must comply with fair housing, nondiscrimination, labor standards, and environmental requirements applicable to the CDBG Program, as follows:

(i) Fair Housing: Each Subgrantee will be required to take steps to affirmatively further fair housing; and when gathering public input, planning, and implementing housing related activities, will include participation by neighborhood organizations, community development organizations, social service organizations, community housing development organizations, and members of each distinct affected community or neighborhood which might fall into the assistance category of low and moderate income communities.

(ii) Nondiscrimination: Each Subgrantee will be required to adhere to the Departments' established policies which ensure that no person be excluded, denied benefits or subjected to discrimination on the basis race, color, national origin, religion, sex, familial status, and/or physical and mental handicap under any program funded in whole or in part by Federal CDBG funds. Subgrantees will be required to document compliance with all nondiscrimination laws, executive orders, and regulations.

(iii) Labor Standards: Each Subgrantee will be required to oversee compliance with Davis-Bacon Labor Standards and related laws and regulations. Regulations require all laborers and mechanics employed by contractors or subcontractors on CDBG funded or CDBG assisted public works construction contracts in excess of \$2,000, or residential construction or rehabilitation projects involving eight or more units be paid wages no less than those prescribed by the Department of Labor and in accordance with Davis Bacon Related Acts.

(iv) Environmental: Specific instructions concerning environmental requirements at 24 CFR Part 58 will be made available to all Subgrantees. Some projects will be exempt from the environmental assessment process, but all Subgrantees will be required to submit a Request for Release of Funds and Certification. Funds will not be released for expenditure until the Departments are satisfied that the appropriate environmental review has been conducted. Subgrantees will not use CDBG disaster recovery funds for any activity in an area delineated as a special flood hazard area in FEMA's most current flood advisory maps unless it also ensures that the action is designed or modified to minimize harm to or within the floodplain in accordance with Executive Order 11988 and 24 CFR Part 55.

## **ANTI-DISPLACEMENT AND RELOCATION**

Recipients will be expected to minimize displacement of persons or entities and assist any persons or entities displaced as a result of the disasters. This is not intended to limit the ability of the recipients to conduct buyouts for destroyed and extensively damaged units or units in a flood plain.

## **ACTION PLAN AMENDMENTS**

The following events would require a substantial amendment to the Action Plan:

- Addition or deletion of any allowable activity (e.g. Housing Assistance, Business Assistance, Public Facilities/Infrastructure) described in the Plan;
- Significant change in the planned beneficiaries;
  - A change of more than 5 percent in the original proposed funding allocation between the various activity categories of housing, economic development/business assistance, and public facilities and services (unless sufficient applications are not received to meet the targeted percentages for each activity.)

Substantial amendments to the State of Iowa Action Plan for Disaster Recovery (# 2), if any, will be published on the Department's website, emailed to affected units of general local government and will provide for a public comment period. All comments will be considered.

Localities will be allowed to amend projects through a "minor amendment" process if the proposed changes are minor and do not materially change the project (generally defined as 10% budget line-item change, or 10% change in beneficiaries. This provision should not be construed as allowing the general administrative budget to exceed the allowable limit. More substantial amendments will require a more formal amendment process, including permission and written agreement from IDED.

## APPENDIX A. DEPARTMENT'S RESPONSE TO PUBLIC COMMENTS

### SUMMARY OF PUBLIC COMMENTS ON STATE OF IOWA DISASTER PLAN # 2

The State of Iowa Action Plan for Disaster Recovery (# 2) was released for public comment on Thursday, February 5, 2009. The public comment period for the document ran from February 5 through February 15. The Action Plan was posted on the Department of Economic Development's website on February 5th as well. The Plan was also emailed to all of Iowa's Councils of Governments and all cities and counties in Iowa for which email addresses were available. An announcement of the Action Plan's availability was made in the Des Moines Register, a state-wide newspaper, on February 6, 2009. In addition to the above, the Plan was an agenda item on the weekly teleconference between IDEED and the 11 city and COG recipients of Disaster Funding two weeks in a row, on February 4<sup>th</sup> and February 11<sup>th</sup>, 2009.

Comments on the Plan were accepted on the Department's website at <http://www.iowalifechanging.com/community>, and by email at [community@iowalifechanging.com](mailto:community@iowalifechanging.com) or by contacting Mike Miller at IDEED, 200 E. Grand Ave. Des Moines, IA 50309; Office phone number of (515) 242-4807.

The following comments were received by the Iowa Department of Economic Development concerning the Action Plan for Disaster Recovery (# 2). A brief summary of each comment as well as the Department's response is included. For more information on the public comments received on the Action Plan (# 2), or for copies of the original comments, contact the Department of Economic Development, Community Development Division, at (515) 242-4711.

Comment # 1: One of the email addresses listed in the Plan for a Council of Government was outdated. The request was to correct the email address in the Final Plan.

*Staff Response:* The email address has been corrected in this Final Plan.

Comment # 2: Two comments were received regarding the proposed guidelines for Housing Buy-Outs, Non-FEMA. The comments questioned whether properties had to be condemned in order to qualify for acquisition/buy-out under this activity. One of the comments suggested alternative language that would require that the property either be condemned, was likely to be condemned, or had experienced very significant damages of at least 70% of the value of the home.

*Staff Response:* It is not the intent of the Plan that properties must be condemned in order to qualify for buyout. The Draft Plan states that the eligible properties would be from a list maintained by FEMA and Iowa Homeland Security-Emergency Management Division "containing properties condemned or likely to be condemned as a result of floods in 2008." It is IDEED's understanding that, if structures experienced damages of 70% or higher, they will most likely be on the list and therefore be eligible for buyout.

Comment # 3: One comment was received that requested a waiver of the lead-safe housing requirements in the entitlement communities only. The commenter argues that, due to the more stringent regulations (zoning ordinances, subdivision regulations, building permit and inspection programs, etc.) in entitlement communities, that the housing in those areas that is rebuilt or rehabilitated "would be of good quality." The commenter also noted that HUD regulations allow for the waiver of lead-safety requirements in rebuilding/rehabilitation of disaster-affected housing.

*Staff Response:* The issue is not whether the housing will be of good quality or not. The issue relates strictly to lead-based paint, which zoning ordinances, building permits, etc., may not affect. The requirements in the Plan are federal requirements, and not alterable by the State. The Lead Safe Housing Regulations have not been waived by HUD. HUD has not concurred with the exemption stated in the Lead Safe Housing regulations that emergency rehab (disaster related) is exempt.

All pre-1978 built housing is subject to these requirements. Other housing is not.

Comment # 4: The commenter noted that the Action Plan requires a 10-year period of affordability for housing rehabilitation, whereas the requirement under the regular CDBG housing rehabilitation program had typically been 5 years. The commenter requested that the Plan be revised to impose a 5-year, rather than a 10-year, requirement.

*Staff Response:* The maximum assistance under the regular CDBG housing rehabilitation program is \$24,999 per unit. Because the potential assistance through the Disaster Recovery program is significantly higher (\$60,000) it was felt that a longer affordability period was appropriate. This Final Plan retains the 10-year requirement.

Comment # 5: The commenter noted that a significant amount of funding under this Action Plan will be going to public infrastructure projects, but that “there is no requirement that this repair and rebuilding of infrastructure be consistent with a regional hazard mitigation plan.” The commenter proposed that “all applicants should demonstrate how their funding requests are consistent with a regional hazard mitigation plan (that has been approved by all governments in a county or group of counties.)”

*Staff Response:* Although consistency with an adopted regional hazard mitigation plan would likely be desirable from a public policy standpoint, the State feels that such a requirement would drastically slow down the recovery process in the public infrastructure category. The rating system for public infrastructure projects will attempt to include an evaluation of the local and regional impact of the proposed projects. Although we recognize this is not the same as requiring regional hazard mitigation plans, it will indirectly address some of the same issues without the substantial delay that would inevitably occur while a regional hazard mitigation plan was drafted, discussed, debated, and voted on.

#### SUMMARY OF PUBLIC COMMENTS ON STATE OF IOWA DISASTER PLAN # 2, AMENDMENT # 4

The State of Iowa Action Plan for Disaster Recovery (# 2), Amendment # 4 was released for public comment on Friday June 19, 2009. The public comment period for the document ran from June 19 through June 26. The Amendment was posted on the Department of Economic Development’s website on June 19 as well. The Amendment was also emailed to all of Iowa’s Councils of Governments and all cities and counties in Iowa for which email addresses were available. An announcement of the Amendment’s availability was made in the Des Moines Register, a state-wide newspaper, on June 19, 2009.

Comments on the Plan were accepted on the Department’s website at <http://www.iowalifechanging.com/community>, and by email at [community@iowawlifechanging.com](mailto:community@iowawlifechanging.com) or by contacting Mike Miller at IDEED, 200 E. Grand Ave. Des Moines, IA 50309; Office phone number of (515) 725-3077.

The following comments were received by the Iowa Department of Economic Development concerning the Action Plan for Disaster Recovery (# 2), Amendment # 4. A brief summary of each comment as well as the Department’s response is included. For more information on the public comments received on the Amendment, or for copies of the original comments, contact the Department of Economic Development, Community Development Division, at (515) 725-3060.

- 1) One commenter expressed support for the allocation of approximately \$74 million for Non-FEMA Public Infrastructure;

Department Response: No response necessary.

- 2) One commenter expressed support for providing recovery assistance to residential rental businesses;

Department Response: No response necessary.

- 3) Thirteen (13) commenters submitted the following recommendations: a) Fully fund the current residential rental rehabilitation program; b) Provide the opportunity for current flood effected landlords to participate in the construction of new housing stock; c) Fully fund a “gap” program for landlords that are not eligible for a);



Department Response: The Department concurs with recommendations a) and b) and has incorporated them into the proposed Plan Amendment. The Department feels that these two activities will be sufficient for the needs of these property owners and does not plan to include the “gap” program proposed by the commenters.

- 4) Nine (9) commenters requested that the Plan provide more assistance to the business assistance activities;

Department Response: The Department is revising the proposed allocation of funds somewhat, addressing these comments. The Department is allocating additional funding to a new Business Assistance Activity, made possible by a reduction in the allocation to Buyouts – non –FEMA, and a reduction to New Housing Production. In the Department’s opinion, there will be adequate resources allocated to the non-FEMA buyouts, even after this reduction.

- 5) One commenter suggested that additional resources should be allocated to the Interim Mortgage Assistance Program;

Department Response: The Department requested a waiver from HUD so that additional assistance could be provided to recipients of the Interim Mortgage Assistance Program. Originally, such assistance was limited to a total of 3 months assistance. HUD has recently approved a waiver of this limitation, and assistance can now be provided for a period of up to 20 months.

- 6) One commenter requested that maximum flexibility should be accorded to the cities to allow them to develop plans to meet their unique needs, within the context of state and federal guidelines on the CDBG Disaster funds;

Department Response: The proposal appears to the Department to be a request to provide a certain amount of funding to each city, and each city would, within that overall budget, develop their own plan and set of activities they would propose to undertake. Although the Department understands the attraction of this approach to the recipients, the approach would raise a whole new set of issues and problems, starting with the amount of funding to allocate to each recipient in the state. The Department has decided against this approach.

- 7) One commenter expressed support for the proposed allocation to the Infrastructure activities in the proposed Plan;

Department Response: No response necessary.

- 8) One commenter expressed opposition to the proposed \$5 million maximum under Activity D, Housing Buyouts, non-FEMA;

Department Response: The Department is eliminating the maximum grant size limit for this activity. The inclusion of this maximum was an inadvertent error in the original Plan, and the Department appreciates the comment, and the opportunity to correct this.

- 9) One commenter requested clarification on the proposed guidelines that would apply to Activity D, Housing Buyouts, non-FEMA;

Department Response: The Department is clarifying the description of eligible activities to make clear that commercial property is also eligible to be bought out under this Activity.

- 10) One commenter requested clarification on the eligible applicants under Activity E – New Housing Production;

Department Response: The Department is clarifying the description of eligible applicants to make clear that for-profit and non-profit developers are also eligible applicants under this Activity.

- 11) One commenter proposed an alternative to the grant size limitation under Activity E – New Housing Production. The commenter proposed a “sliding scale” of perhaps \$30,000 per unit for low-density development, and up to \$80,000 per unit for larger buildings, rather than the flat \$60,000 per unit maximum in the proposed Plan;

Department Response: The Department plans to leave the maximum in the Plan Amendment at \$60,000 for all units. This figure has been in place for some time - the \$60,000 per unit figure has been included with this Activity since the original Disaster Plan # 1, finalized in September of 2008. Changing this figure now would be very cumbersome for all.

- 12) One commenter submitted questions/ requests for clarification on Activity H – SBA Loan Review.

Department Response: The questions on this Activity will be answered by phone or email, and are not of a nature that they need to be addressed in the Plan Amendment.

**APPENDIX B: TIMELINE OF REBUILD IOWA EVENTS AND ACTIVITIES  
INITIAL 45 DAYS**

Timeline of Rebuild Iowa Events and Activities – Initial 45 Days	
July 17, 2008	Initial RIAC Meeting (Des Moines)
July 28, 2008	Housing Task Force Meeting (Des Moines) Economic and Workforce Development Task Force Meeting (West Des Moines)
July 29, 2008	Infrastructure and Transportation Task Force Meeting (West Des Moines) Education Task Force Meeting (Ankeny)
July 30, 2008	Agriculture and Environment Task Force Meeting (West Des Moines) Cultural Heritage Task Force Meeting (West Des Moines) Records Retention Task Force Meeting (West Des Moines)
July 31, 2008	RIAC Meeting (Cedar Rapids) Speak Up Iowa! Listening Session (Cedar Rapids)
August 5, 2008	RIAC Meeting (Wapello) Speak Up Iowa! Listening Session (Wapello)
August 6, 2008	Public Health and Health Care Task Force Meeting (Urbandale) Floodplain Management Task Force Meeting (West Des Moines)
August 7, 2008	Long-Term Recovery Planning Task Force Meeting (Urbandale)
August 11, 2008	Speak Up Iowa! Listening Session (Red Oak)
August 12, 2008	Speak Up Iowa! Listening Session (Fort Dodge)
August 13, 2008	Agriculture and Environment Task Force Meeting (Johnston)
August 19, 2008	RIAC Meeting (Cedar Falls) Speak Up Iowa! Listening Session (Cedar Falls)
August 25-26, 2008	RIAC Meeting (Urbandale)
August 29, 2008	RIAC Meeting (Telephonic)
September 2, 2008	45 - Day Report to The Governor and Lt. Governor

45 - Day Report to the Governor

## **TIMELINE OF REBUILD IOWA EVENTS AND ACTIVITIES – THROUGH 120 DAYS**

<b>October 1, 2008</b>	<b>RIAC Meeting</b>
<b>October 7, 2008</b>	<b>Infrastructure and Transportation Task Force Meeting</b>
<b>October 8, 2008</b>	<b>Economic and Workforce Development Task Force Meeting</b>
<b>October 9, 2008</b>	<b>Agriculture and Environment Task Force Meeting</b>
<b>October 13, 2008</b>	<b>Public Health and Health Care Task Force Meeting</b>
<b>October 14, 2008</b>	<b>Housing Task Force Meeting</b>
<b>October 15, 2008</b>	<b>Education Task Force Meeting</b>
<b>October 20, 2008</b>	<b>Cultural Heritage Task Force Meeting and Records Retention Task Force Meeting</b>
<b>October 22, 2008</b>	<b>Floodplain Management and Hazard Mitigation Task Force Meeting</b>
<b>November 6-7, 2008</b>	<b>RIAC Meeting</b>
<b>November 13, 2008</b>	<b>RIAC Meeting (telephonic)</b>
<b>November 28, 2008</b>	<b>120-Day Report to the Governor and Lt. Governor</b>

## **APPENDIX C: LIST OF COMMUNITY DEVELOPMENT/HOUSING CONTACTS FOR ENTITLEMENT COMMUNITIES**

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Housing Coordinator  
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Community & Economic Development Department  
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## APPENDIX D: CONTACT LIST FOR COUNCILS OF GOVERNMENT

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**Upper Explorerland Regional Planning Commission (UERPC)**

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Postville, IA 52162

563/864-7551 (FAX 563/864-7535)

E-Mail: [uerpc@acegroup.cc](mailto:uerpc@acegroup.cc)

(Allamakee, Clayton, Fayette, Howard, Winneshiek Counties)

Joe Myhre, Director

**North Iowa Area Council of Governments (NIACOG)**

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Mason City, IA 50401

641/423-0491 (FAX 641/423-1637)

E-Mail: [niacog@niacog.org](mailto:niacog@niacog.org)

(Cerro Gordo, Floyd, Franklin, Hancock, Kossuth, Mitchell, Winnebago, Worth Counties)

Ted Kourousis, Interim Director

**Northwest Iowa Planning and Development Commission (NWIP&DC)**

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712/262-7225 (FAX 712/262-7665)

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(Buena Vista, Clay, Dickinson, Emmet, Lyon, O'Brien, Osceola, Palo Alto, Sioux Counties)

Jane Gilbert & Dwight Lang, Co-Directors

**Siouxland Interstate Metropolitan Planning Council (SIMPSCO)**

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Sioux City, IA 51102

712/279-6286 (FAX 712/279-6920)

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(Cherokee, Dakota, Dixon, Ida, Monona, Plymouth, Woodbury Counties)

Cliff Weldon, Director

**Midas Council of Governments (MIDAS)**

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Kelley Deutmeyer, Director

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(Cedar, Clinton, Delaware, Dubuque, Jackson Counties)

Denise Bulat, Director

**Bi-State Regional Commission**

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309/793-6300 (FAX 309/793-6305)

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(Audubon, Carroll, Crawford, Greene, Guthrie, Sac, Dallas Counties)

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(Davis, Jefferson, Keokuk, Mahaska, Van Buren and Wapello Counties)

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(Mills and Pottawattamie Counties)

Tracy Daughterty-Miller, Director  
**Chariton Valley Planning & Development**  
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E-Mail: [tmiller@charitonvalleyplanning.com](mailto:tmiller@charitonvalleyplanning.com)  
(Appanoose, Lucas, Monroe and Wayne Counties)

Tom Kane, Director  
**Central Iowa Regional Transportation Planning Alliance**  
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515/334-0075 (FAX 515/334-0098)  
(Boone, Dallas, Jasper, Madison, Marion, Story, Polk and Warren Counties) \*Not a COG, but represent the counties in Central Iowa



## **APPENDIX E: WAIVERS APPROVED TO DATE**

A complete list of the waivers approved to date can be found in the September 11, 2008 Federal Register, page 52870. Following is a summary of the approved waivers. Refer to the Federal Register for the complete language on the approved waivers. The State anticipates that these same waivers will apply to the funding covered by this Action Plan (# 2).

- Waiving 70% required overall benefit to LMI – adjusted to 50%
- Waiving requirement to distribute to units of local government only
- Waiving required consistency with consolidated plan
- Waiving Action Plan requirements; substituting an Action Plan for Disaster Recovery
- Waiving certain citizen participation requirements to streamline the process
- Waiving administration cap to allow up to 5%
- Waiving annual reporting requirements; substituting quarterly reporting
- Waiver to allow new housing construction
- Waiver allowing homeownership assistance to persons up to 120% of median income
- Limited waiver of anti-pirating provisions for business assistance
- Waiver of certain URA and relocation requirements
- Waiver to allow state flexibility on requirements re: program income
- Waiver of standard certifications; substituting alternative certifications
- Waiver allowing reimbursement for pre-agreement costs

## **APPENDIX F: CERTIFICATIONS FOR STATE GOVERNMENTS, WAIVER AND ALTERNATIVE REQUIREMENT**

**In accordance with the applicable statutes and the regulations governing the consolidated plan and the Supplemental Appropriations Act, 2008, the State certifies that:**

- a) The state certifies that it will affirmatively further fair housing, which means that it will conduct an analysis to identify impediments to fair housing choice within the state, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting the analysis and actions in this regard. (See 24 CFR 570.487(b)(2).)
- b) The state certifies that it has in effect and is following a residential anti-displacement and relocation assistance plan in connection with any activity assisted with funding under the CDBG program.
- c) The state certifies its compliance with restrictions on lobbying required by 24 CFR Part 87, together with disclosure forms, if required by that Part.
- d) The state certifies that the Action Plan for Disaster Recovery is authorized under state law and that the state, and any entity or entities designated by the state, possesses the legal authority to carry out the program for which it is seeking funding, in accordance with applicable HUD regulations and this Notice.
- e) The state certifies that it will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR Part 24, except where waivers or alternative requirements are provided for this grant.
- f) The state certifies that it will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u), and implementing regulations at 24 CFR Part 135.
- g) The state certifies that it is following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.115 (except as provided for in notices providing waivers and alternative requirements for this grant), and that each unit of general local government that is receiving assistance from the state is following a detailed citizen participation plan that satisfies the requirements of 24 CFR 570.486 (except as provided for in notices providing waivers and alternative requirements for this grant).
- h) The state certifies that it has consulted with affected units of local government in counties designated in covered major disaster declarations in the nonentitlement, entitlement and tribal areas of the state in determining the method of distribution of funding;
- i) The state certifies that it is complying with each of the following criteria:
  - 1) Funds will be used solely for necessary expenses related to disaster relief, long-term recovery, and restoration of infrastructure in areas covered by a declaration of major disaster under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) as a result of recent natural disasters.
  - 2) With respect to activities expected to be assisted with CDBG disaster recovery funds, the action plan has been developed so as to give the maximum feasible priority to activities that will benefit low- and moderate-income families.
  - 3) The aggregate use of CDBG disaster recovery funds shall principally benefit low- and moderate-income families in a manner that ensures that at least 50 percent of the amount is expended for activities that benefit such persons during the designated period.
  - 4) The state will not attempt to recover any capital costs of public improvements assisted with CDBG disaster recovery grant funds, by assessing any amount against properties owned and occupied by persons of low- and moderate-income, including any fee charged or assessment made as a condition of obtaining access to such public improvements, unless (A) disaster recovery grant funds are used to pay the proportion of such fee or assessment that relates to the capital costs of such public improvements that are financed from revenue sources other than under this title; or (B) for purposes of assessing any amount against properties owned and occupied by persons of moderate income, the grantee certifies to the Secretary that it lacks sufficient CDBG funds (in any form) to comply with the requirements of clause (A).
- j) The state certifies that the grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the Fair Housing Act (42 U.S.C. 3601-3619) and implementing regulations.
- k) The state certifies that it has and that it will require units of general local government that receive grant funds to certify that they have adopted and are enforcing:
  - 1) A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and

- 2) A policy of enforcing applicable state and local laws against physically barring entrance to or exit from a facility or location that is the subject of such non-violent civil rights demonstrations within its jurisdiction.
- l) The state certifies that each state grant recipient or administering entity has the capacity to carry out disaster recovery activities in a timely manner, or the state has a plan to increase the capacity of any state grant recipient or administering entity that lacks such capacity.
- m) The state certifies that it will not use CDBG disaster recovery funds for any activity in an area delineated as a special flood hazard area in FEMA's most current flood advisory maps unless it also ensures that the action is designed or modified to minimize harm to or within the floodplain in accordance with Executive Order 11988 and 24 CFR Part 55.
- n) The state certifies that it will comply with applicable laws.

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Signature/ Authorized Official

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Date

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Title