

Amendment 22 (Non-Substantial)

Non-Substantial Amendment 22			
Previous Page #	New Page #	Section	Change/Addition/Deletion
86-87	82	Projects and Activities	Updated Program Budget Table to reflect the reallocation of \$705,409.31 from the Infrastructure Repair Program to the Housing Repair and Replacement Program and updated the 80/20 split accordingly.
88	84	Projects and Activities	Updated the adjustment table to reflect the reallocation of \$705,409.31 from the Infrastructure Repair Program to the Housing Repair and Replacement Program.
N/A	86	Projects and Activities	Added language on the reallocation of \$705,409.31 from the Infrastructure Repair Program to the Housing Repair and Replacement Program.
98	94	Projects and Activities	Updated the Housing Repair and Replacement Program budget to \$536,070,415.84 to include the reallocation of \$705,409.31 from the Infrastructure Repair Program.
N/A	106	Projects and Activities	Added verbiage stating that an additional \$705,409.31 was reallocated from the Infrastructure Repair Program to the Housing Repair and Replacement Program.
112	107	Projects and Activities	Updated the Infrastructure Repair Program budget to \$55,751,354.83 to reflect reallocation of \$705,409.31 to the Housing Repair and Replacement Program.
N/A	N/A	Entire Document	<p>Updated formatting throughout document for consistency with other program documents. Changes include:</p> <p>Headers:</p> <ul style="list-style-type: none"> Updated section headers to use a hierarchal numbering system (1.0, 1.1, 1.1.1, 1.1.1.1) for ease of navigation. To facilitate this change, within section 1.0 Unmet Needs Assessment "Section 1" and "Section 2" was removed from the title of section 1.1 Introduction and 1.2 Florida Disaster Recovery Program, respectively. <p>Tables:</p> <ul style="list-style-type: none"> Updated table colors for consistency and legibility Updated table caption style Updated table spacing to make tables more compact <p>Figures:</p> <ul style="list-style-type: none"> Resized some figures to prevent blank spaces on pages <p>Overall formatting changes resulted in a reduction of pages from 193 pages to 189 pages.</p>

DEO’s total budget for administration costs is \$38,679,900 and \$500,000 for planning costs. Planning costs subject to the 15 percent cap are those defined in 42 U.S.C. 5305(a)(12). State and local administration costs are capped at 5 percent in aggregate by federal regulations. The state will provide additional guidance to subrecipients regarding the amount of administrative funds available to them. Eligible project delivery costs are presumed included as a portion of the overall CDBG-DR grant funding allocation provided to each subrecipient. Subrecipients will be responsible for properly tracking and monitoring these expenses that may not be included as part of the overall grant award to each individual project or individual applicant as applicable.

The program budget outlined is as follows:

Program Budget									
Program	Total Budget	MID Budget Breakdown		Min Set-Aside for Keys	Min Set-Aside for New MIDs	Estimated LMI Benefit	Maximum Award	Average award per unit	Estimated # of Units**
		80%	20%						
HOUSING Budget									
Housing Repair Program	\$536,070,415.84	\$428,856,332.67	\$107,214,083.17	\$50,000,000	\$51,856,347	90%	\$350,000 \$650,000 in Monroe County	\$45,000	5,100
Workforce Affordable Rental New Construction Program: Leveraging Other Sources of Financing	\$120,000,000	\$96,000,000	\$24,000,000	\$35,000,000	N/A	100%	\$12,000,000	\$60,000	1,670
Workforce Affordable Rental New Construction Program: Small Rental Developments	\$20,000,000	\$16,000,000	\$4,000,000	\$0	N/A	100%	\$7,000,000	\$125,000	160
Voluntary Home Buyout Program	\$28,626,309.33	\$22,901,047.46	\$5,725,261.87	\$10,000,000	N/A	50%	\$5,000,000	\$225,000	300
ECONOMIC REVITALIZATION Budget									
Workforce Recovery Training	\$12,607,765	\$10,086,212	\$2,521,553	N/A	N/A	100%	N/A	N/A	N/A
INFRASTRUCTURE Budget									
Infrastructure Repair Program Competitive Application Cycle	\$55,751,354.83	\$44,601,083.86	\$11,150,270.97	N/A	*these are included in the 80%	25 %	N/A	N/A	N/A
STATE AND LOCAL ADMINISTRATION									
Administration (5%)	\$38,679,900	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Program Activity	November 4, 2019 Program Budget	March 6, 2020 Amended Program Budget	June 5, 2020 Amended Program Budget	October 23, 2020 Amended Program Budget	August 5, 2021 Amended Program Budget	June 21, 2022 Amended Program Budget	February 20, 2023 Amended Program Budget	May 4, 2023 Amended Program Budget	Amount Adjusted
Housing Repair and Replacement Program	\$ 346,186,147	\$ 346,186,147	\$ 346,186,147	\$ 346,186,147	\$516,832,357.53	\$533,522,115.53	\$535,365,006.53	\$536,070,415.84	+\$705,409.31
Workforce Affordable Rental New Construction Program: Leveraging Other Sources of Financing	\$ 100,000,000	\$ 100,000,000	\$ 120,000,000	\$ 120,000,000	\$ 120,000,000	\$ 120,000,000	\$ 120,000,000	\$ 120,000,000	-
Workforce Affordable Rental New Construction Program: Small Rental Developments	\$ 20,000,000	\$ 20,000,000	\$ 20,000,000	\$ 20,000,000	\$ 20,000,000	\$ 20,000,000	\$ 20,000,000	\$ 20,000,000	-
Land Acquisition for Affordable Workforce Housing	\$ 20,000,000	\$ 20,000,000	-	-	-	-	-	-	-
Voluntary Home Buyout Program	\$ 75,000,000	\$ 44,117,239	\$ 44,117,239	\$ 44,117,239	\$43,663,617.33	\$28,626,309.33	\$28,626,309.33	\$28,626,309.33	-
Workforce Recovery Training	\$ 20,000,000	\$ 14,450,656	\$ 14,450,656	\$ 14,450,656	\$ 14,450,656	\$ 14,450,656	\$12,607,765	\$12,607,765	-
Business Recovery Grant	\$ 66,000,000	\$ 39,137,963	\$ 40,839,905	-	-	-	-	-	-
Infrastructure Repair Program	\$ 85,819,653	\$ 149,113,795	\$186,049,598 ¹	\$226,889,503	\$56,696,914.14	\$56,456,764.14	\$56,456,764.14	\$55,751,354.83	-\$705,409.31
Administration (5%)	\$ 38,679,900	\$ 38,679,900	\$ 38,679,900	\$ 38,679,900	\$ 38,679,900	\$ 38,679,900	\$ 38,679,900	\$ 38,679,900	-
Planning	\$ 1,912,300	\$ 1,912,300	\$ 1,912,300	\$ 1,912,300	\$ 1,912,300	\$500,000	\$500,000	\$500,000	-
Total	\$ 773,598,000	\$ 773,598,000	\$ 812,235,745	\$ 812,235,745	\$ 812,235,745	\$ 812,235,745	\$ 812,235,745	\$ 812,235,745	-

¹ On January 27, 2020, HUD released federal guidance for an additional \$38,637,745 to Florida through CDBG-DR funds to support long-term recovery from Hurricane Irma. Substantial Amendment 9, submitted to reflect the additional allocation to address unmet infrastructure needs, was approved by HUD on June 1, 2020.

Program to fund additional projects to support housing, repair damages and create resiliency throughout the Hurricane Irma impacted areas.

Substantial Amendment 17 to the State of Florida Action Plan for Disaster Recovery—Hurricane Irma, Submitted to HUD on September 8, 2021 re-allocated \$170,192,588.86 from the Infrastructure Repair Program, and \$453,621.67 from the Voluntary Home Buyout Program, totaling \$170,646,210.53, to the Housing Repair and Replacement Program.

Factors such as rising costs of materials and construction due to the industrial impacts of recent national disasters as well as COVID-19 related production issues, have resulted in the original allocation of funding to the HRRP activity being less efficacious than originally anticipated.

In order to mitigate rising costs of construction projects and serve more applicants through the HRRP, DEO moved a large portion of Irma Infrastructure Repair Program projects to DEO's Community Development Block Grant—Mitigation (CDBG-MIT) General Infrastructure Program. Projects identified for the CDBG-MIT General Infrastructure Program Round III were originally evaluated and ranked for the CDBG-DR Irma Infrastructure Repair Program. All projects transferred were competitively selected through the CDBG-DR Irma Infrastructure program process. The threshold requirements include meeting all CDBG-MIT General Infrastructure Program eligibility criteria.

Non-Substantial Amendment 19 to the State of Florida Action Plan for Disaster Recovery—Hurricane Irma, submitted to HUD on July 1, 2022, reallocated a total of \$16,689,758 from the Voluntary Home Buyout (\$15,037,308), Infrastructure (\$240,150), and Planning (\$1,412,300) budgets to the Housing Repair and Replacement Program in order to meet the forecasted unmet housing needs identified for the HRRP.

This program budget reallocation will assist with the increased housing program forecast.

Non-Substantial Amendment 21 to the State of Florida Action Plan for Disaster Recovery, submitted to HUD on February 20, 2023, reallocated \$1,842,891 from the Workforce Recovery Training program to the Housing Repair and Replacement Program in order to address unmet housing needs.

Non-Substantial Amendment 22 to the Action Plan, submitted to HUD on May 4, 2023 reallocated \$705,409.31 from the Infrastructure Repair Program to the Housing Repair and Replacement Program to address unmet housing needs.

3.3 Basis for Allocations

In consideration of the unmet needs assessment and HUD requirements and in order to prioritize limited funding in areas with highest damage, DEO disaster recovery program assistance outlined in this Action Plan will be limited to homeowners, small rental property owners, Public Housing Authorities and local governments within counties (and cities within those counties) that received FEMA Individual Assistance (IA) declarations in addition to their Public Assistance (PA) declaration. Program thresholds outlined in Section 16 state that projects or programs must primarily support LMI housing.

Environmental review and determined required remediation for items such as lead-based paint abatement, asbestos abatement, or other remediation components shall also be eligible.

Elevations will be included for applicants that meet requirements determined by the program, including substantially damaged properties as per locally approved floodplain requirements. Elevation will be evaluated on a case by case basis. Elevations will not be conducted on properties outside of the floodplain, with the possible exception where elevation is required by local ordinance. DEO will follow HUD guidance to ensure all structures, defined at 44 CFR 59.1, designed principally for residential use and located in the 1 percent annual (or 100-year) floodplain, that receive assistance for new construction, repair of substantial damage, or substantial improvement, as defined at 24 CFR 55.2(b)(10), will be elevated with the lowest floor at least two feet above the 1 percent annual floodplain elevation.

If located in a 100-year floodplain, the applicant will be required to maintain flood insurance and notify future owners of flood insurance requirements. Federal law requires people who live in a floodplain to carry flood insurance in perpetuity on that property. The Robert T. Stafford Disaster Relief and Emergency Assistance Act prohibits the receipt of disaster assistance because of lack of required flood insurance; accordingly, whether a property is subject to this requirement will be reviewed during the eligibility phase of the program. If an applicant is eligible for program assistance, a grant agreement, covenant, deed restriction or similar instrument will be required to be placed on the property requiring that flood insurance be maintained on that property in perpetuity. An award may also include assistance to pay for up to the first two years of flood insurance premiums for eligible program applicants. Such parameters to determine eligibility for assistance with flood insurance premiums shall be further defined in the state's policies and procedures.

Based on the current registration pool, DEO anticipates meeting all remaining unmet housing needs through the Housing Repair and Replacement Program.

Allocation for Activity: \$536,070,415.84

Keys Set-aside: \$50,000,000

Newly added Most-impacted and distressed communities set-aside: \$51,856,347

Eligible Applicants: Homeowners and owners of rental properties, including PHAs, whose primary residence sustained damage from Hurricane Irma and property owners of rental housing.

Eligibility Criteria: The state will prioritize homeowner applicants earning less than or equal to 80 percent AMI and rental property owners whose rental property serves LMI individuals. If this need is fulfilled, DEO may address applicants earning greater than 80 percent AMI. Special consideration may be given to the Florida Keys on a case-by-case basis.

Households that make above 120 percent of the Area Median Income (AMI) will not be eligible for the HRRP.

Maximum Award (per unit): \$350,000 except for in Monroe County which will have a maximum assistance amount of \$650,000*

Responsible Entity for Administering: Florida Department of Economic Opportunity

Eligibility: 105(a)(4)

National Objective: Low- and moderate-income benefit or Urgent Need

**DEO may increase the \$350,000 cap if construction and elevation cost prove to be higher than originally estimated due to recent national disasters' impact on the market.*

able to fully utilize these other resources following a disaster because reserve cash funds are exhausted by disaster recovery efforts and they cannot meet local match requirements. Allowing local governments to leverage CDBG-DR funding as match will enable communities, especially smaller and rural local governments, to better utilize all resources available to them.

In the development of policies and procedures, cost benefit will be addressed. DEO acknowledges infrastructure activities may have unintended risks that could potentially effect communities. With this understanding, DEO will follow guidance provided in the Federal Register to avoid disproportionate impacts on vulnerable populations and environmental injustice. Additionally, DEO recognizes the importance of resiliency against future storms and will employ adaptable and reliable technologies to guard against premature obsolescence of infrastructure. DEO will describe the implementation of utilizing these technologies, when applicable, in its program policies and procedures manual.

3.6.1 Infrastructure Repair Program

The Florida Department of Economic Opportunity's (DEO) Rebuild Florida Infrastructure Repair Program was originally launched with \$85,819,653 to fund infrastructure restoration and improvement projects in communities impacted by Hurricane Irma and was subsequently increased by an additional \$102,432,105. On January 27, 2020, HUD released federal guidance for an additional \$38,637,745 to Florida through CDBG-DR funds to support long-term recovery from Hurricane Irma and meet unmet infrastructure needs. Approximately \$226 million was identified to be distributed in the Infrastructure Repair Program. However, DEO reallocated \$170,192,588.86 followed by an additional \$705,409.31 from the Infrastructure Repair Program to the HRRP in order to meet unmet housing needs. \$56,456,764.14 will be distributed through the Infrastructure Repair program. Hurricane Irma affected many community's infrastructure systems such as damaging roadways, bridges and state beaches. Funding will be dispersed to communities impacted by Hurricane Irma through a competitive application cycle with priority given to projects that can demonstrate urgent need, readiness to proceed, and that benefit LMI. Where possible, DEO will leverage other sources such as FEMA Public Assistance funding to first address remaining urgent and unmet needs in communities.

Eligible activities within this program may include, but are not limited to the following:

- Restoration of infrastructure damaged by Hurricane Irma (such as water and sewer facilities, streets, removal of debris, drainage, bridges, etc.).
- Demolition and rehabilitation of publicly or privately owned commercial or industrial buildings.
- Renourishment of protective coastal dunes systems and state beaches.
- Repairs to damaged buildings that are essential to the health, safety and welfare of a community when repairs to these buildings constitutes an urgent need (this can include police stations, fire stations, parks and recreational centers, community and senior centers, hospitals, clinics, schools and educational facilities, other public properties).
- Repairs to water lines and systems, sewer lines and systems, drainage and flood mitigation systems.

Prior to opening the competitive application cycle for the Infrastructure Repair and Mitigation Program, DEO will send an announcement through its mailing list describing the details of this program as well as an announcement on DEO's webpage which can be found [here](#). DEO will hold a pre-application training to those interested in the program. The pre-application training will go over the full details of the program. This training will also be advertised on the webpage. Then, following a tentative award, DEO will hold another pre-implementation training. This training will cover all materials and expectations for subrecipients. Following an award, DEO will hold trainings, as needed.

3.6.1.1 Competitive Application Cycle

Applicants will select projects or programs to propose to DEO for funding in accordance with DEO thresholds and objectives. These thresholds are:

- Projects must demonstrate tie-back to Hurricane Irma
- Projects must not duplicate benefits.

DEO will also consider to what extent proposed projects or programs support the following objectives:

- Projects must support LMI housing needs in some way,
- Projects must primarily serve LMI populations, or
- Demonstrate an urgent need in the community

DEO will first consider LMI as the national objective for infrastructure projects. The urgent need national objective will only be used if the project is not LMI, but is needed to alleviate emergency conditions. When using urgent need as a national objective, DEO will obtain justification from the local government or municipality to certify the urgency of the condition.

Applicants may pursue a range of eligible activities as allowed under CDBG-DR regulations for this appropriation, so long as they are in accordance with DEO threshold requirements and the requirements for the applicable activity as outlined in the Action Plan and Federal Register. Applicants will be required to meet HUD regulations, such as environmental, duplication of benefits, fair housing and others.

Allocation for Activity: \$55,751,354.83, Competitive Cycle

Maximum Award: Round 1: N/A, Round 2: \$140,839,905

Responsible Entity for Administering: DEO

Eligibility: 105(a)(2)

National Objective: Low- and moderate-income benefit or Urgent Need

3.7 Use of CDBG-DR as Match

Additionally, funds may be used to meet a matching, share, or contribution requirement for any other federal program when used to carry out an eligible CDBG-DR activity. This includes programs or activities administered by the Federal Emergency Management Agency (FEMA) or the U.S. Army Corps of Engineers (USACE). By law, the amount of CDBG-DR funds that may be contributed to a USACE project is \$250,000 or less. Note that the Appropriations Act prohibits supplanting the use of CDBG-DR funds for any activity reimbursable, or for which funds are also made available, by FEMA or USACE.³²

3.8 Ineligible Activities

Ineligible activities identified in the Federal Register, Vol. 83, No. 28, Friday, February 9, 2018, include the use of CDBG-DR for forced mortgage payoff, construction of a dam/levee beyond original footprint, incentive payments to households that move to disaster-impacted floodplains, assistance to privately owned utilities, not prioritizing assistance to businesses that meet the definition of a small business, or assistance for second homes, funding of buildings for the general conduct of government, activities identified in 24 CFR 570.207, and all activities and uses not authorized under Title I of the Housing and Community Development Act of 1974 or allowed by waiver.