

# ACTION PLAN



## COMMUNITY DEVELOPMENT BLOCK GRANT MITIGATION

Missouri Department of  
Economic Development  
Business and Community Solutions



Missouri Department of  
Economic Development

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Missouri Department of  
**Economic Development**

# EXECUTIVE SUMMARY

**ACTION PLAN** FOR STATE OF MISSOURI COMMUNITY DEVELOPMENT  
BLOCK GRANT MITIGATION (CDBG-MIT)



## Executive Summary

Community Development Block Grant Mitigation (CDBG-MIT) funds represent a unique and significant opportunity for the State of Missouri to use this assistance in areas impacted by the 2017 disasters (Disaster Recovery [DR] 4317). The funds are intended for the State of Missouri to carry out strategic and high-impact activities to mitigate disaster risks and reduce future losses. While it is impossible to eliminate all risks, CDBG-MIT funds will enable the State of Missouri to mitigate against disaster risks, while at the same time allowing the State the opportunity to transform its State and local planning to align its mitigation objectives.

CDBG-MIT funds are to be used for distinctly different purposes than CDBG-DR funds. CDBG-MIT funds must be used to mitigate against future disasters as described in the CDBG-MIT Federal Register Notice (84 FR 45838). Mitigation activities are defined as those activities that increase resilience to disasters and reduce or eliminate the long-term risk of loss of life, injury, damage to and loss of property, and suffering and hardship by lessening the impact of future disasters. The amount of funding provided through the CDBG-MIT allocation and the nature of the programs and projects that are likely to be funded requires that CDBG-MIT grantees and their subrecipients strengthen their program management capacity, financial management, and internal controls.

The State of Missouri has been allocated \$41,592,000 in CDBG-MIT funds. The Missouri Department of Economic Development (MO DED) has been designated by Governor Mike Parson as the responsible entity for administering the CDBG-MIT funds. The Federal Register Notice (FRN) allocating the \$41,592,000 of CDBG-MIT funds requires that all programs or projects using CDBG-MIT funds meet the definition of mitigation, prioritize the protection of low- and moderate-income (LMI) individuals, and that no less than 50% (or \$20,796,000) of the funding be spent in the U.S. Department of Housing and Urban Development (HUD)-identified “Most Impacted and Distressed” (MID) areas.

Figure 1: HUD-Identified Most Impacted and Distressed Areas from 2017 Disasters (DR-4317)

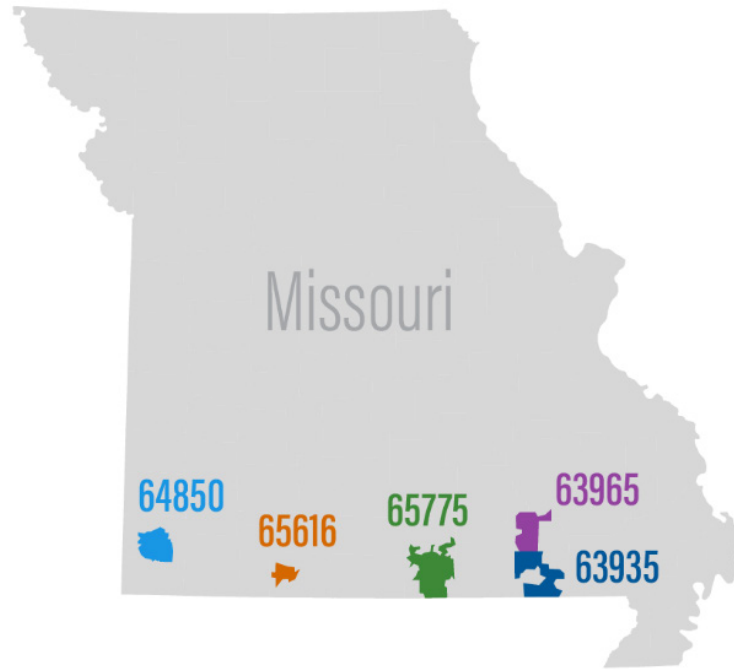


Table 1: HUD MID ZIP Codes and Counties Under DR-4317

<b>HUD MID ZIP Codes</b>	63935, 63965, 64850, 65616, 65775
<b>HUD MID Counties</b>	Carter, Douglas,* Howell, McDonald,* Newton, Reynolds,* Ripley, Taney

\* Adjacent to county primarily containing MID; however, contains small section of MID ZIP code as well. To prevent exclusion in the analysis, these counties are also considered MID counties.

The remaining funds, up to 50% of the total allocation, may be spent for activities that meet the definition of mitigation in the following eligible counties when supported by determinations based on the Risk-Based Mitigation Needs Analysis.

Table 2: State MID Counties Under DR-4317

<b>State MID Counties</b>	Barry, Barton, Bollinger, Boone, Butler, Camden, Cape Girardeau, Cedar, Christian, Cole, Crawford, Dade, Dallas, Dent, Dunklin, Franklin, Gasconade, Greene, Iron, Jasper, Jefferson, Lawrence, Madison, Maries, Miller, Mississippi, Morgan, New Madrid, Oregon, Osage, Ozark, Pemiscot, Perry, Phelps, Pike, Pulaski, Ralls, Scott, Shannon, St. Louis, Ste. Genevieve, Stone, Texas, Washington, Wayne, Webster, Wright
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To align with the requirements in the FRN (84 FR 45840), MO DED has developed a Risk-Based Mitigation Needs Assessment to identify and analyze all significant current and future disaster risks in order to provide a substantive basis for the activities proposed in Section 5, CDBG-MIT Program Design.

The Risk-Based Mitigation Needs Assessment:

1. Provides an overview of Missouri's geographic landscape.
2. Summarizes climate trends and projections that may contribute to current and future risks.
3. Discusses historic damage patterns that have impacted the State of Missouri.
4. Identifies all considered resources, including the Federal Emergency Management Agency-approved State Hazard Mitigation Plan and local Hazard Mitigation Plans (HMPs).
5. Assesses current and future risk to critical service areas or community lifelines.
6. Assesses risk to vulnerable and LMI populations.
7. Addresses unmet mitigation needs in response to identified current and future risks.

The State consulted with the State Emergency Management Agency, regional planning commissions and council of governments, the private sector, and other governmental agencies to provide a multi-hazard, Risk-Based Mitigation Needs Assessment for the HUD and State of Missouri MID areas. The analysis included a broad range of data sources that were key in the development of a comprehensive assessment of the hazards discussed in this plan.

The hazards reviewed in this plan pose substantial risk of loss of life, injury, damage, and loss of property, along with suffering and hardship. Based on the total number of high-ranking hazards in each of Missouri's county local HMPs, the top risks impacting the State are ranked as follows:

1. Thunderstorms
2. Flooding (Riverine and Flash)
3. Tornadoes

For this reason, the State of Missouri has identified the above hazards as the State's greatest risks, which are discussed in Section 4.5, State Greatest Risk Profile.

The State of Missouri used the results of the risk assessment to inform the program design for CDBG-MIT funds with the objective of ensuring that proposed activities meet the definition of mitigation, address a current or future identified hazard, and comply with HUD's CDBG-MIT eligibility criteria and national objectives.

Table 3: State of Missouri’s Proposed CDBG-MIT Programs and Budgets

Program	Allocation	% Total Funds	HUD MIDs	State MIDs	Max. Award	Eligible Applicants
<b>Infrastructure</b>	<b>\$33,273,600</b>	<b>80%</b>	<b>\$16,636,800</b>	<b>\$16,636,800</b>		
General Infrastructure	\$13,309,440	32%	\$6,654,720	\$6,654,720	\$2.5M	Units of Local Government
Public Facility Hardening	\$13,309,440	32%	\$6,654,720	\$6,654,720	\$5M	Units of Local Government
Generators for Critical Facilities	\$3,327,360	8%	\$1,663,680	\$1,663,680	\$50K	Units of Local Government
Warning Systems	\$3,327,360	8%	\$1,663,680	\$1,663,680	\$50K	Units of Local Government
<b>Planning and Capacity Grants</b>	<b>\$6,238,800</b>	<b>15%</b>	<b>\$3,119,400</b>	<b>\$3,119,400</b>		
Mitigation Planning	\$3,119,400	7.5%	\$1,559,700	\$1,559,700	\$150K	Units of Local Government and RPCs/COGs
Capacity Grants	\$1,934,028	4.6%	\$967,014	\$967,014	\$200K	Units of Local Government and RPCs/COGs
MO DED Planning	\$1,185,372	2.9%	\$592,686	\$592,686	NA	NA
<b>MO DED Administration</b>	<b>\$2,079,600</b>	<b>5%</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>
<b>TOTAL</b>	<b>\$41,592,000</b>	<b>100%</b>	<b>\$19,756,200</b>	<b>\$19,756,200</b>		

The State of Missouri put great effort into determining meaningful mitigation activities that would ensure the \$41,592,000 of funds could garner the most impact for both the HUD and State MID communities. After determining reasonable project maximum awards in each activity, the State should, at a minimum, be able to complete 170 separate mitigation activities. Below are the assumptions based on applicants receiving the maximum award.

**General Infrastructure Program**

- Total Program Funds: \$13,309,440
- Funds for HUD MIDs: \$6,654,720 (no less than 50% of the funds used)
- Funds for State MIDs: \$6,654,720 (up to 50% of the funds used)
- Maximum Award per Project: \$2,500,000
- Estimated Projects: 6 (up to 3 per each MID region; priority for HUD MID areas)

### Public Facility Hardening Program

- Total Program Funds: \$13,309,440
- Funds for HUD MID: \$6,654,720 (no less than 50% of the funds used)
- Funds for State MID: \$6,654,720 (up to 50% of the funds used)
- Maximum Award per Project: \$5,000,000
- Estimated Projects: 2 (at least 1 in each MID region)

### Critical Facility Generators Program

- Total Program Funds: \$3,327,360
- Funds for HUD MID: \$1,663,680 (no less than 50% of the funds used)
- Fund for State MID: \$1,663,680 (up to 50% of the funds used)
- Maximum Award per Project: \$50,000
- Estimated Projects: 66 (up to 33 projects in each MID region; priority for HUD MID areas)

### Warning Systems Program

- Total Program Funds: \$3,327,360
- Funds for HUD MID: \$1,663,680 (no less than 50% of the funds used)
- Fund for State MID: \$1,663,680 (up to 50% of the funds used)
- Maximum Award per Project: \$50,000
- Estimated Projects: 66 (up to 33 projects in each MID region; priority for HUD MID areas)

### Mitigation Planning

- Total Program Funds for Mitigation Planning: \$3,119,400
- Funds for HUD MID: \$1,559,700 (no less than 50% of the funds used)
- Funds for State MID: \$1,559,700 (up to 50% of the funds used)
- Maximum Award per Project: \$150,000
- Estimated Projects: 20 (up to 10 projects in each MID region; priority for HUD MID areas)

### Capacity Grants

- Total Program Funds for Capacity Grants: \$ 1,934,028
- Funds for HUD MID: \$967,014 (no less than 50% of the funds used)
- Funds for State MID: \$967,014 (up to 50% of the funds used)
- Maximum Award per Project: \$200,000
- Estimated Projects: 10 (up to 5 staff in each MID region; priority for HUD MID areas)



### Public Engagement and Participation

Prior to the publication of the Draft CDBG-MIT Action Plan, MO DED conducted five public hearings in HUD's MID areas of the State. The public hearings included an informational overview, opportunity for public comment, and an interactive Mitigation Workshop to further collect public input. The public hearings were held the week of January 28–31, 2020, in Van Buren, Doniphan, West Plains, Branson, and Neosho.

On February 19, the Draft CDBG-MIT Action Plan was posted on the CDBG-MIT website, made available in English and Spanish. Posting the Draft Action Plan on the website marked the beginning of the public comment period, which lasted from February 19 to April 4, totaling 45 days. In-person public hearings were planned to present the Draft Action Plan, yet on March 13, the President officially declared the ongoing Coronavirus Disease 2019 (COVID-19) pandemic of sufficient severity and magnitude to warrant an emergency declaration for all States. Following State and Federal guidance on public gatherings, Missouri DED cancelled the in-person public hearings for CDBG-MIT. Following HUD's CDBG COVID-19 guidance, virtual hearings were held on March 25.

Although the pandemic altered Missourians' way of life, the public comment period thrived. MO DED received nearly 600 public comments from across the State, with the majority sent from HUD MIDs. Public comments were aggregated, organized by county, and categorized based on the themes as they applied to the Action Plan. A summary of the comments received and the subsequent responses from MO DED are listed in Appendix 4 of the final Action Plan and addressed throughout the plan.



Missouri Department of  
**Economic Development**

## **SECTION 1**

# **DEFINITIONS, ACRONYMS, AND ABBREVIATIONS**

**ACTION PLAN** FOR STATE OF MISSOURI COMMUNITY DEVELOPMENT  
BLOCK GRANT MITIGATION (CDBG-MIT)

## 1. Definitions, Acronyms, and Abbreviations

**100-Year Flood Plain**—A geographical area defined by the Federal Emergency Management Agency (FEMA) as having a 1% chance of being inundated by a flooding event in any given year.

**500-Year Flood Plain**—A geographical area defined by FEMA as having a 0.2% chance of being inundated by a flooding event in any given year.

**CDBG (State)**—The annual allocation of Community Development Block Grant funds from the U.S. Department of Housing and Urban Development (HUD).

**CDBG-DR**—Community Development Block Grant Disaster Recovery funds are issued through a Federal Register Notice from HUD for long-term recovery of specific disaster events.

**CDBG-MIT**—Community Development Block Grant Mitigation funds are issued through a Federal Register Notice from HUD for mitigation projects based on a determination of a Risk-Based Needs Assessment.

**COG**—Council of Government.

**DOB**—Duplication of benefits is any assistance provided to subrecipients for the same purpose (i.e., for repair, replacement, or reconstruction) as any previous financial or in-kind assistance already provided for the same. This prohibition comes from the Robert T. Stafford Disaster Assistance and Emergency Assistance Act (Stafford Act) and, therefore, these duplicated sources of funds must be deducted from any potential award.

**FEMA**—Federal Emergency Management Agency, which provides an immediate response to disasters and issues individual assistance, public assistance, and hazard mitigation assistance.

**FRN**—A Federal Register Notice posts the public document written by a particular Federal agency authorizing the use of new funding, or amending or changing regulations pertaining to existing funding.

**HMGF**—A Hazard Mitigation Grant Program provides FEMA funds for projects that mitigate against impacts from future disasters.

**HUD**—The U.S. Department of Housing and Urban Development is the Lead Federal Agency for CDBG, CDBG-DR, and CDBG-MIT.

**HUD MIDs**—Most Impacted and Distressed areas as determined by HUD in the CDBG-MIT Federal Register Notice (84 FR 45838, 8/30/19).

**LMA**—Low- to moderate-area benefit describes activities where the area served includes 51% or more low- to moderate-income households.

**LMI**— Low to moderate income is an income of less than 80% of the local area median income.

**LMH**—A low- to moderate-income household is a household with an income of less than 80% of the local area median income.

**Local HMP**—The Hazard Mitigation Plan for the local community.

**MACOG**—The Missouri Association of Councils of Government is the statewide organization representing Missouri’s 19 regional planning commissions and councils of governments.

**MHDC**—The Missouri Housing Development Commission administers the Federal and Missouri Low-Income Housing Tax Credit programs, the Affordable Housing Assistance Program Tax Credit, Federal HOME funds, and the direct funding of several housing assistance programs. Furthermore, the Commission administers homeless assistance funds for permanent housing in an effort to end homelessness in Missouri. The Commission also provides advisory, consultative, training, and educational services to nonprofit housing organizations.

**Mitigation Activity**—As defined by HUD in the CDBG-MIT Federal Register Notice (84 FR 45838, 8/30/19) mitigation activities are defined as those activities that increase resilience to disasters and reduce or eliminate the long-term risk of loss of life, injury, damage to and loss of property, and suffering and hardship by lessening the impact of future disasters.

**MO DED**—The State of Missouri Department of Economic Development is the Lead State Agency for the State of Missouri’s HUD grants.

**NFIP**—National Flood Insurance Program.

**RPCs**—Missouri’s Regional Planning Commissions.

**RSF**—State Recovery Support Functions (community, economic, housing, infrastructure, and natural and cultural resources).

**SHMP**—State Hazard Mitigation Program.

**State MIDs**—Most Impacted and Distressed areas as determined by the State of Missouri based on the Presidentially Declared Disaster counties in DR-4317.

**Subrecipient**—A city, county, or other eligible applicant that has applied for and been awarded a grant by the Missouri Department of Economic Development.



Missouri Department of  
**Economic Development**

## **SECTION 2**

# **APPROPRIATIONS ACT AND FUNDING AUTHORITY**

**ACTION PLAN** FOR STATE OF MISSOURI COMMUNITY DEVELOPMENT  
BLOCK GRANT MITIGATION (CDBG-MIT)



## 2. Appropriations Act and Funding Authority

The U.S. Department of Housing and Urban Development (HUD) published its Federal Register Notice (FRN) for allocation of \$41,592,000 in Community Development Block Grant Mitigation (CDBG-MIT) funds to the State of Missouri for qualifying 2017 disasters (Disaster Recovery [DR]-4317) on August 30, 2019 (84 FR 45838).

Figure 2: Federal Emergency Management Agency (FEMA) DR-4317 Disaster Declaration

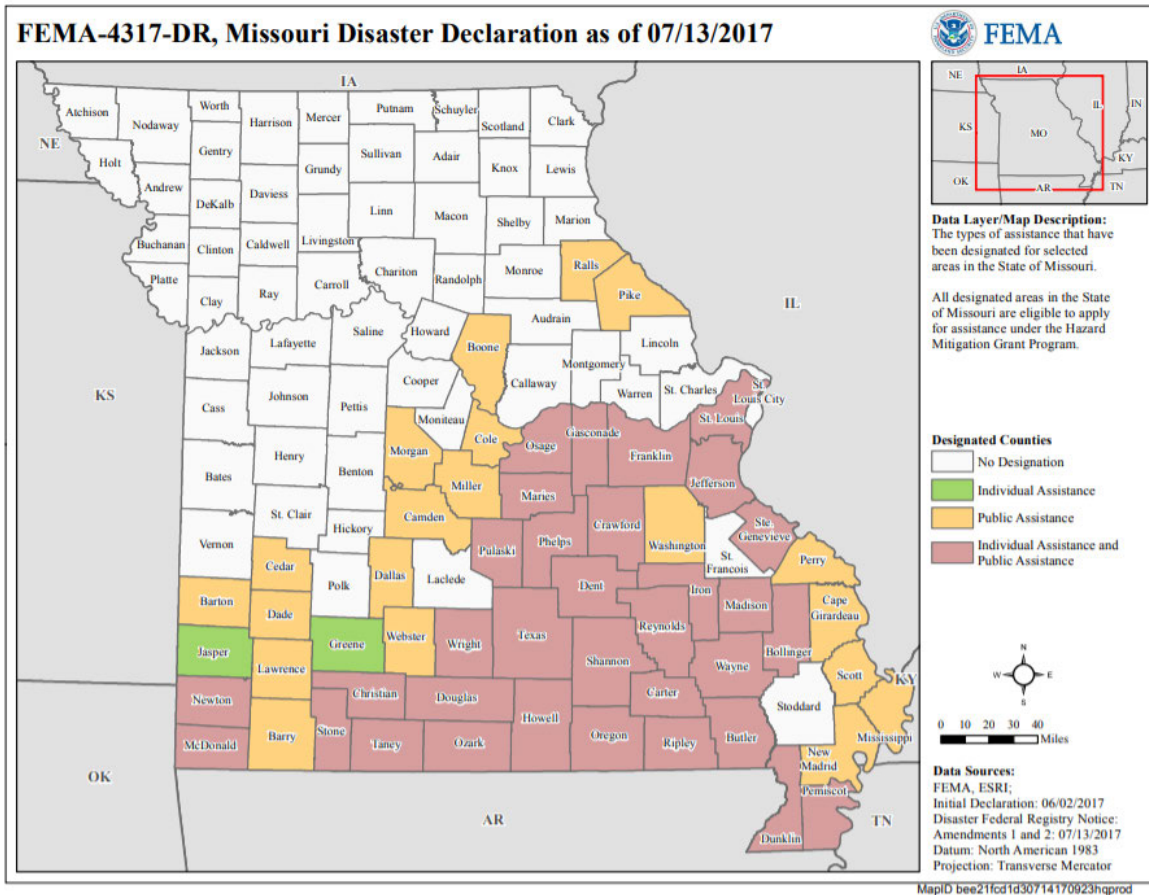


Image from FEMA at <https://www.fema.gov/disaster/4317>

These funds were allocated by U.S. Congress through its allocation of \$6.875 billion in funding made available by the Further Additional Supplemental Appropriations for Disaster Relief Requirements Act, 2018 (approved February 9, 2018).

CDBG-MIT funds represent a unique and significant opportunity for the State of Missouri to use this assistance in areas impacted by the 2017 disasters. The funds are intended for the grantee to carry out strategic and high-impact activities to mitigate disaster risks and reduce future losses. While it is impossible to eliminate all risks, CDBG-MIT funds will enable the State of Missouri to mitigate against disaster risks, while at the same time

allowing the State the opportunity to transform its State and local planning to align its mitigation objectives.

The guiding structure and objectives established for CDBG-MIT funds bear similarities to other Federal programs that address hazard mitigation, particularly FEMA's Hazard Mitigation Grant Program. Through this allocation for mitigation, HUD seeks to:

- Support data-informed investments in high-impact projects that will reduce risks attributable to natural disasters, with a particular focus on the repetitive loss of property and critical infrastructure.
- Build the capacity of States and local governments to comprehensively analyze disaster risks and update hazard mitigation plans through the use of data and meaningful community engagement.
- Support the adoption of policies that reflect local and regional priorities that will have long-lasting effects on community risk reduction, to include the risk reduction to community lifelines such as Safety and Security; Communications; Food, Water, and Shelter; Transportation; Health and Medical; Hazardous Materials (Management); and Energy (Power and Fuel).
- Adopt a forward-looking land use plan that integrates the hazard mitigation plan, the latest edition of published disaster-resistant building codes and standards, vertical flood elevation protection, and policies that encourage hazard insurance for private and public facilities.
- Maximize the impact of available funds by encouraging leverage, private-public partnerships, and coordination with other Federal programs.

## 2.1 Definition of Mitigation

For the purpose of the CDBG-MIT FRN, mitigation activities are defined as those activities that increase resilience to disasters and reduce or eliminate the long-term risk of loss of life, injury, damage to and loss of property, and suffering and hardship by lessening the impact of future disasters.

## 2.2 HUD and State “Most Impacted and Distressed” (MID) Areas

The State of Missouri has been allocated \$41,592,000 in CDBG-MIT funds. The Missouri Department of Economic Development (MO DED) has been designated by Governor Mike Parson as the responsible entity for administering CDBG-MIT funds. The FRN allocating \$41,592,000 of CDBG-MIT funds requires that all programs or projects using CDBG-MIT funds meet the definition of mitigation and that 50% (or \$20,796,000) of funding be spent in the HUD-identified MID areas.

Figure 3: HUD-Identified “Most Impacted and Distressed Areas” from 2017 Disasters (DR-4317)



Table 4: HUD MID ZIP Codes and Counties Under DR-4317

<b>HUD MID ZIP Codes</b>	63935, 63965, 64850, 65616, 65775
<b>HUD MID Counties</b>	Carter, Douglas,* Howell, McDonald,* Newton, Reynolds,* Ripley, Taney

\* Adjacent to county primarily containing MID; however, contains small section of MID ZIP code as well. To prevent exclusion in the analysis, these counties are also considered MID counties.

The remaining 50% of funds may be spent for activities that meet the definition of mitigation in the following eligible counties when supported by determinations based on the Risk-Based Needs Analysis.

Table 5: State MID Counties Under DR-4317

<b>State MID Counties</b>	Barry, Barton, Bollinger, Boone, Butler, Camden, Cape Girardeau, Cedar, Christian, Cole, Crawford, Dade, Dallas, Dent, Dunklin, Franklin, Gasconade, Greene, Iron, Jasper, Jefferson, Lawrence, Madison, Maries, Miller, Mississippi, Morgan, New Madrid, Oregon, Osage, Ozark, Pemiscot, Perry, Phelps, Pike, Pulaski, Ralls, Scott, Shannon, St. Louis, Ste. Genevieve, Stone, Texas, Washington, Wayne, Webster, Wright
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### 2.3 Expenditure of Funds

The FRN has waived the 70% overall benefit requirement for low- to moderate-income (LMI) beneficiaries and requires that CDBG-MIT funds have a 50% overall benefit for LMI. The State makes prioritizing the protection of LMI individuals a priority that is reflected in the proposed programs and projects described in this Action Plan.

The FRN requires that 50% of CDBG-MIT funds be expended within 6 years of HUD’s execution of the grant agreement and 100% of funds expended within 12 years of HUD’s execution of the CDBG-MIT grant agreement with the State of Missouri.

### 2.4 Coordination and Consultation

#### Monthly Statewide Coordination

The State Emergency Management Coordinator and the MO DED CDBG manager will schedule a monthly “CDBG-MIT/SEMA MIT Sync Up Call.” The monthly meeting will be attended by:

- Karen McHugh, CFM, Floodplain Management Section Manager/National Flood Insurance Program (NFIP) State Coordinator

MO DED will have in attendance:

- Sam Komo, CDBG Manager
- Jana Latham, CDBG-MIT application development
- Whitney Cravens/Amanda Brush/Walter Baker, CDBG-MIT project development
- Alison Anderson/Kim Stuefer, CDBG-MIT environmental review for project development

The monthly meeting will discuss the following:

- Mitigation Planning Needs
- Status of CDBG-MIT Mitigation Projects
- Status of FEMA Mitigation Projects
- Potential for Coordinating Mitigation Planning and/or Mitigation Projects

- CDBG-MIT Quarterly Report for Distribution to Emergency Management, Units of Local Government, Regional Planning Commissions/Councils of Government (RPCs/COGs), and the CDBG-MIT Website

MO DED will provide a quarterly report of their CDBG-MIT projects that will include the following:

- Projects that are planned and where they are located
- Projects that are in progress and their location
- Projects that are complete and their location
- Identification of the risks that each project seeks to address
- Community lifelines that are made more resilient due to the project

This report will be posted to the CDBG-MIT website and notification sent to local emergency management in the HUD and State MID counties, the Units of Local Government in the HUD and State MID counties, and the RPCs/COGs for the HUD and State MID counties.

### State Risk Management Team

The State of Missouri is utilizing the Silver Jackets team as another forum for interagency coordination. The Missouri State Risk Management Team (SRMT) has broad support from various Federal agencies. The Missouri SRMT encompasses all hazards, including human-induced threats, severe weather, earthquakes, and so forth, and not just flooding. Moreover, the Missouri SRMT undertakes interagency efforts to support the full range of the State emergency management program's missions (i.e., preparedness, response, recovery, and mitigation).

MO DED has committed a CDBG staff person to participate in the bi-annual meetings. MO DED will use this opportunity to provide updates to the members regarding CDBG-MIT-funded planning and project activities, where they are located, and discuss any opportunities to coordinate with other agencies on these projects.

## 2.5 Coordination Within the HUD-Identified Most Impacted and Distressed (MID) Areas

MO DED has a long-standing relationship with the Missouri Association of Councils of Government (MACOG) and has for years coordinated closely with RPCs and COGs for the regular State CDBG programs, and more recently for the CDBG Disaster Recovery (CDBG-DR) funds. MO DED leveraged this relationship to gain input from the RPCs/COGs representing the HUD- and State-identified MID counties and sent out a survey to each of the following RPCs/COGs to obtain additional details regarding the impacts on the communities in their areas, identified risks, costs of the 2017 disasters, and types of mitigation activities they would like to see implemented with the CDBG-MIT funds in



their areas. Results from the survey are addressed in Section 4, Risk-Based Mitigation Needs Assessment and Appendix 1.

**Table 6: RPCs/COGs and Counties in the HUD and State MIDs**

RPC/COG	Counties Represented by an RPC/COG
Bootheel Regional Planning and Economic Development Commission	Dunklin
	Mississippi
	New Madrid
	Pemiscot
	Scott
East-West Gateway Council of Governments	Franklin
	Jefferson
	St. Louis
Harry S. Truman Coordinating Council	McDonald (HUD MID)
	Newton (HUD MID)
	Barton
	Jasper
Kaysinger Basin Regional Planning Commission	Cedar
Lake of the Ozarks Council of Local Governments	Camden
	Miller
	Morgan
Mark Twain Council of Governments	Pike
	Ralls
Meramec Regional Planning Commission	Crawford
	Dent
	Gasconade
	Maries
	Osage
	Phelps
	Pulaski
	Washington
Mid-Missouri Regional Planning Commission	Boone
	Cole
Ozark Foothills Regional Planning Commission	Carter (HUD MID)
	Reynolds (HUD MID)
	Ripley (HUD MID)
	Butler
	Wayne
South Central Ozark Council of Governments	Douglas (HUD MID)
	Howell (HUD MID)
	Oregon
	Ozark
	Shannon
	Texas
	Wright

RPC/COG	Counties Represented by an RPC/COG
Southeast Missouri Regional Planning Commission	Bollinger
	Cape Girardeau
	Iron
	Madison
	Perry
	Ste. Genevieve
Southwest Missouri Council of Governments	Taney (HUD MID)
	Barry
	Christian
	Dade
	Dallas
	Greene
	Lawrence
	Stone
Webster	

HUD MID counties represented by an RPC/COG are highlighted.

Coordinating with MACOG for CDBG-MIT funding is an especially good fit as large mitigation planning and activities tend to be regional in nature. MACOG is the statewide organization representing Missouri’s 19 RPCs and COGs. These professional organizations represent the entire State of Missouri and are committed to enhancing the State’s regions. Regional councils are engaged in myriad activities that align with areas that must be evaluated for CDBG-MIT funding activities, including the following:

- Economic and community development
- Housing initiatives
- Safety and security
- Transportation planning
- Environmental issues
- Quality-of-life issues

Due to the broad spectrum of functions that RPCs/COGs undertake as part of their mission, coordination, planning, and implementation of CDBG-MIT activities are a natural fit, guaranteeing broad stakeholder input and CDBG-MIT activity support in the affected MID areas. Most RPCs deal with infrastructure issues, such as public water supply; sanitary sewage collection and treatment; and planning for various modes of transportation, including local streets and roads, highways, airports, port development, mass transit, and, in some instances, rail. RPCs are also, from time to time, involved in park, recreational, and open-space planning and issues; development of various ordinances, such as subdivision regulations, zoning ordinances, mobile home park ordinances, and so forth; coordination of programs on behalf of county and municipal members with State and Federal agencies; solid waste planning; hazardous waste planning; stormwater damage and flood control, including the NFIP; working for

improved educational and training facilities; manpower planning and job training issues; health and health facility needs; and planning for compatible land use.

Most RPCs also prepare grant applications for implementation of various capital improvements and initiation of various programs. Numerous RPCs also assist county and municipal government in the administration of grants-in-aid. Some RPCs are also involved in agricultural issues, housing development, and the provision of a variety of direct services under an agreed-upon basis with member units of government. A number of regional councils provide mapping and drafting services for their membership.

The role of the RPC or COG varies in each region, depending on the desires of the member counties and municipalities, and their representatives. Nonetheless, the prime role of the RPC/COG is to provide a technical staff capable of providing sound advice to its membership and to work for coordination of various planning and infrastructure needs among the various counties and municipalities, as appropriate. Many RPCs/COGs conduct a considerable amount of research as a matter of course in their day-to-day operations and often have a considerable amount of data and information available for use by their members and citizens of the region. A number of RPCs/COGs in Missouri serve as repositories for census data under an agreement with the Missouri State Library and its Data Affiliate Program. Most of the RPCs/COGs have a small technical and planning library that also houses a wealth of data and information about their respective regions and, perhaps, a broader area.

The RPCs/COGs across the State of Missouri provide an effective way for local governments to work together to address common problems and to share technical staff for problems that cross borderlines or boundaries and need an areawide approach as CDBG-MIT activities generally require. They also are available to assist their member entities in coordinating the needs of the area with State and Federal agencies or with private companies or other public bodies.

## 2.6 Private Sector

In December 2019, MO DED sent a survey to local businesses to obtain additional details regarding the impacts on their businesses, the cost of the 2017 disaster, and types of mitigation activities they would like to see implemented in their areas. The survey was implemented via Google Forms and sent via email to potential participants.

The survey received four responses from businesses, all of which were in State MID counties.

### Disaster Impact

Of the four respondents, three indicated that their business was affected by the 2017 disaster. All three cited lost accessibility to business for customers, while wind damage, flooding, and water damage were also reported. Two businesses reported approximately

\$100,000 in damage or lost revenue, while one business reported less than \$10,000 in damage and lost revenue. None of the three businesses reported receiving assistance from the Small Business Administration (SBA) for this disaster event.

Of the three respondents who experienced impacts from the 2017 disaster, two of them selected flood mitigation as a mitigation activity that would improve their resiliency. One business selected roof reinforcement. The full analysis of the survey can be found in Appendix 2.

## 2.7 Native American Tribes

The State of Missouri does not have any federally recognized Native American tribes within the State. The State of Missouri uses HUD's searchable directory for tribes at <https://egis.hud.gov/TDAT> to obtain contacts for the following tribes that do still hold interest in Barry County, which falls within the State identified eligible counties. Each tribe was provided with a draft of the Action Plan for their comments:

- Osage Nation
- Delaware Nation, Oklahoma
- Apache Tribe of Oklahoma
- Caddo Nation of Oklahoma
- Delaware Tribe of Indians
- Seneca-Cayuga Nation

## 2.8 Other Government Agencies (Including State and Local Emergency Management)

MO DED coordinated with representatives of the Missouri State Emergency Management Agency (SEMA) and the Missouri Association of Councils of Governments (MACOG) via email and conference call to coordinate data sharing and to verify the greatest mitigation needs. MO DED also made several attempts to reach out to the U.S. Army Corps of Engineers (USACE) representative, but no response was received before the draft Action Plan was completed. However, the Risk Assessment does use data from the U.S. Army Corps of Engineers' 2015 Recent US Climate Change and Hydrology Literature Applicable to US Army Corps of Engineers Missions – Upper Mississippi Region.

In addition, MO DED met with the Missouri Housing Development Commission representative for Disaster Housing Management. The representative attended the overview of the risk assessment methodology and reviewed the determination of the four highest hazards for the State. The representative agreed with the Risk Assessment results.

Upon approval of the CDBG-MIT Action Plan, MO DED will invite local emergency management personnel to an outreach and coordination workshop that will provide

information regarding the eligible funding and types of mitigation projects that can be applied for through State applications. Each of the local contacts will be maintained in a database and provided with quarterly reports as described in Section 2.4.

## 2.9 CDBG-MIT Alignment with Other Federal, State, or Local Mitigation and Planning

MO DED has taken the following actions to align the CDBG-MIT Action Plan with local mitigation and planning processes.

### Missouri State Emergency Management Agency and State Hazard Mitigation Plan (2018)

In writing this document, MO DED has drawn heavily from the coordination of data with SEMA and the Missouri State Hazard Mitigation Plan (SHMP) to ensure close alignment with its identified risks and recommendations. In addition to the coordination described with RPCs/COGs above, MO DED utilized the analysis of local plans presented in the SHMP to further understand the most pressing risks in the State and HUD MID counties. MO DED also utilized State- and county-specific data from the SHMP to produce maps and tables presented in the Risk-Based Mitigation Needs Assessment section of this Action Plan. The State is also conducting a monthly statewide coordination meeting with SEMA to discuss the status and process of CDBG-MIT/FEMA planning and mitigation activities to ensure coordination with emergency management agencies (84 FR 45840, II.B). This coordination will also ensure that proposed CDBG-MIT activities will be coordinated with similar activities funded by FEMA/SEMA. More on this coordination is covered in the Coordination and Consultation section of this Action Plan.

### U.S. Army Corps of Engineers Hazard Mitigation Actions in Relation to State Hazard Mitigation Plans for Kansas and Missouri, 2013

Under the USACE Silver Jackets program, the Missouri district prepared a summary document meant to enhance SHMP on various risks discussed throughout the document. This document was coordinated by the Kansas City District Silver Jackets Coordinator for Kansas and Missouri. While the State utilized this plan for consideration in the 2018 SHMP update, the summary was reviewed individually and considered as part of this Action Plan.

### Missouri Department of Transportation Long-Term Plan Update (2018) and Transportation Asset Management Plan (2019)

The Missouri 2018 Long-Range Transportation Plan (LRTP), A Citizen's Guide to Missouri's Transportation Future, "provides strategic direction to align transportation investment decisions with performance outcomes, to address transportation needs and demands amid steady population growth and declining revenues ..." consistent with Federal surface transportation funding programs. The LRTP and Transportation Asset

Management Plan document existing conditions of the State's multimodal system, identify deficiencies, and set priorities for future investments. This Action Plan draws on the Department of Transportation's assessment to support the risk assessment of future hazards.

### Missouri Disaster Recovery Framework (2019)

The Missouri Disaster Recovery Framework (MDRF) is a collaborative effort introduced by the State of Missouri to enhance the long-term recovery capabilities of communities. Its purpose is to more quickly restore basic services to individuals and families, enable timely return to functionality, and re-establish social and economic order following a disaster.

Missouri has traditionally had a strong emergency response network. The development and implementation of a framework that focuses on the recovery portion of the disaster continuum will accomplish an efficient and well-rounded approach to the State's disaster recovery efforts. Missouri is finalizing the State's first MDRF Plan to codify both the statewide approach to long-term recovery and also provide the details for each of the Recovery Support Functions.

The MDRF focuses on community-wide resilience. Some examples of resilience-building activities that Missouri has already undertaken include the following:

- Residential and commercial buyouts
- NFIP participation
- Protective levees and berms
- Relocation of critical infrastructure
- Resilient design of roads and bridges

The most successful of those planning dollars were provided to RPCs/COGs. Each could self-select from a series of planning activities designed in a manner to be replicated in other areas of the State when funding became available. Examples of planning projects included working with local governments in their regions to identify and map all county low-water bridges in the region with overlay details that include damage, water heights, closure information, and casualties. The information is available to inform and prioritize local bridge improvements that are eligible under the CDBG-MIT Transportation Infrastructure activity.

The Missouri program will enlist FEMA Region VII Community Planning Recovery Support Function staff to support training for the communities, and the plans will be modeled after the pilot plans initiated via previous planning dollars. The recovery plans will enhance CDBG-MIT plans by allowing further assessment of hazard risks, including construction standards, review of land use and wetland practices, and flooding.



Missouri Department of  
**Economic Development**

## **SECTION 3**

# **SUMMARY OF IMPACTS UNDER DR-4317**

**ACTION PLAN** FOR STATE OF MISSOURI

COMMUNITY DEVELOPMENT  
BLOCK GRANT MITIGATION (CDBG-MIT)

### 3. Summary of Impacts Under DR-4317

CDBG-MIT funds have been allocated to the State of Missouri to implement mitigation activities that address impacts from disasters occurring in 2017 under DR-4317. The following is an overview of the disaster impacts as they occurred in April and May 2017.

Between April 28 and May 11, 2017, the State of Missouri was struck by severe storms, tornadoes, straight-line winds, and flooding. During the weekend of April 29–30, a strong storm system brought multiple rounds of thunderstorms and heavy rain to the southern two-thirds of Missouri. Rainfall totals surpassed 9 inches in some locations, causing flash flooding and historic flooding along some of the tributaries of the Missouri and Mississippi rivers. A few thunderstorms also became severe during the afternoon of April 29, with two documented tornadoes.

April 2017 became the second wettest April on record in Missouri over the past 123 years largely because of this event. A report from the U.S. Department of the Interior listed 27 monitored rivers and creeks that reached flood stage. Ten of those reached a historic peak. Two rivers' peak records (Jacks Ford and Current River) had stood since 1904. The peak stage of the Current River at Van Buren exceeded the previous maximum stage by 8.4 feet.

By Saturday evening of that weekend, flash flooding and flooding had already led to 93 evacuations and 33 rescues conducted by local and State responders. Five deaths were reported in Missouri. After the storming and flooding ended, 55 counties were declared Federal disaster areas. More than 1,200 homes were initially assessed as damaged or destroyed. Final FEMA counts would add another 700+ homes. In addition, there were initial estimated damages of \$58 million to roads, bridges, and other public infrastructure. This assessment would double in size to more than \$113 million when final FEMA Project Worksheets were tallied.

This series of storms was preceded just 17 short months earlier by an almost identical severe storm, straight-line winds, and flooding event. In early January 2016, 42 counties in the southern part of the State were declared a disaster area by FEMA. Many of the same households and businesses just recovering from the 2016 flooding event were hit again by record storms in 2017. After this record flooding event, 55 counties were Presidentially Declared to be a disaster area. FEMA deployed its host of tools in the Individual Assistance and Public Assistance programs.

#### 3.1 Summary of Impacts and Presidentially Declared Disaster Counties

On May 24, 2017, Governor Eric R. Greitens requested a major disaster declaration due to severe storms, tornadoes, straight-line winds, and flooding during the period of April 28 to May 11. The Governor requested a declaration for Individual Assistance for 37 counties, Public Assistance for 46 counties, and Hazard Mitigation statewide. During the period of



May 10–23, 2017, joint Federal, State, and local government Preliminary Damage Assessments were conducted in the requested counties and are summarized below.

**Table 7: Demographic Characteristics of Declared Counties**

Factor	Declared Counties	Missouri	United States
<b>Population</b>			
Population estimates, July 1, 2017 (V2017)	3,197,970	6,113,532	325,719,178
Population, percent change, 4/01/2010 to 7/01/2017	1.34%	2.10%	5.50%
<b>Age</b>			
Persons under age 5	5.92%	6.10%	6.10%
Persons age 65 and older	19.23%	16.50%	15.60%
<b>Housing</b>			
Housing units, July 1, 2017 (V2017)	1,466,509	2,792,506	137,403,460
Owner-occupied housing unit rate, 2012–2016	71.09%	66.80%	63.60%
Median value of owner-occupied housing units, 2012–2016	\$103,000	\$141,200	\$184,700
Median selected monthly owner costs – with a mortgage, 2012–2016	\$947	\$1,210	\$1,491
Median selected monthly owner costs – without a mortgage, 2012–2016	\$329	\$407	\$462
Median gross rent, 2012–2016	\$600	\$759	\$949
Building permits, 2017	8,853	18,811	1,281,977
<b>Families and Living Arrangements</b>			
Households, 2012–2016	1,245,689	2,372,506	137,403,460
Persons per household, 2012–2016	2.52	2.48	2.64
Living in the same household 1 year ago, percentage of persons age 1+, 2012–2016	84.69%	84.00%	85.20%
Language other than English spoken at home, percentage of persons age 5+, 2012–2016	3.65%	6.00%	21.10%
<b>Education (2012–2016)</b>			
High school graduate or higher, > age 25	83.52%	88.80%	87.00%
Bachelor’s degree or higher, > age 25	16.67%	27.60%	30.30%
<b>Health</b>			
With a disability, under age 65, 2012–2016	14.39%	10.40%	8.60%
Persons without health insurance, under age 65	13.37%	10.80%	10.20%
<b>Economy</b>			
In the civilian labor force, total, percentage of population, age 16+, 2012–2016	55.79%	62.90%	63.10%
Total manufacturers’ shipments, 2012 (\$1,000)	47,285,681	111,535,362	5,696,729,632
Total merchant wholesaler sales, 2012 (\$1,000)	49,442,871	91,916,351	5,208,023,478
Total retail sales, 2012 (\$1,000)	54,903,912	90,546,581	4,219,821,871
Total retail sales per capita, 2012	\$11,118	\$15,036	\$13,443
<b>Transportation (2012–2016)</b>			
Mean travel time to work (minutes), workers age 16+	24.06	23.4	26.1

Factor	Declared Counties	Missouri	United States
<b>Income and Poverty (2012–2016)</b>			
Median household income (in 2016 dollars)	\$38,846	\$49,593	\$55,322
Per capita income in past 12 months (in 2016 dollars)	\$20,424	\$27,044	\$29,829
Persons in poverty	18.53%	13.40%	12.30%
<b>Businesses</b>			
Total employer establishments, 2016	87,229	160,912	7,757,807
Total employment, 2016	1,304,185	2,494,720	126,752,238
Total annual payroll, 2016 (\$1,000)	57,299,020	112,072,115	6,435,142,055
Total employment, percent change, 2015–2016	1%	2.10%	2.10%

Source: CDBG-DR Action Plan, American Community Survey 2017

### Individual Impacts

Total Number of Residences Impacted: 1,923

- Destroyed: 396
- Major Damage: 848
- Minor Damage: 477
- Affected: 202

Percentage of Insured Residences: 19.6%

Percentage of Low-Income Households: 49.2%

Percentage of Elderly Households: 15.7%

Total Individual Assistance Cost Estimate: \$28,583,646

### Public Infrastructure Impacts

A FEMA Public Assistance Summary for DR-4317 indicates the receipt of 248 applications requesting assistance of which 223 were deemed eligible. The public infrastructure costs derived from the FEMA Project Worksheets total \$113.9 million, almost doubling the initial estimate of \$57.2 million. Almost every category has seen significant increases, with Category C, Roads and Bridges, increasing from an estimated \$32 million to \$52 million, and Category F, Public Utilities, increasing from \$11 million to almost \$31 million.

Additional applications came from 55 nonprofit service providers in the area, 1 public institution of higher education, 4 independent school districts, 6 State government facilities, and 2 regional government organizations.

The primary infrastructure impacts were damages to roads and bridges.

- Statewide per capita impact: \$9.55
- Statewide per capita impact indicator: \$1.43
- Total Public Assistance cost estimate: \$57,198,629

### Business Impacts

The SBA conducted a survey of the 37 counties included in the Governor's request for Individual Assistance during the period May 10–18, 2017.

#### Businesses Impacted

- 283 with major damage estimated at \$38,100,000
- 353 with minor damage estimated at \$12,600,000

#### Nonprofit Organizations

- 13 with major damage estimated at \$ 1,400,000
- 11 with minor damage estimated at \$ 197,000

In total, the SBA damage assessments indicated 1,279 structures (homes and businesses) with major damage. Of those 37 counties, 27 counties were declared eligible for disaster loans. SBA declared access to economic injury-only loans to 27 more contiguous counties.

### Presidential Declaration

On June 2, 2017, a Presidential Declaration of a Major Disaster was announced for 55 counties in response to the historic flooding that caused the destruction of homes, businesses, roads, bridges, and other public infrastructure, as well as damage and interruption of nonprofit service providers. FEMA declared 33 counties for both Public Assistance and Individual Assistance, 20 counties for Public Assistance only, and 2 counties for Individual Assistance only.



Missouri Department of  
**Economic Development**

## **SECTION 4**

# **RISK-BASED MITIGATION NEEDS ASSESSMENT**

**ACTION PLAN** FOR STATE OF MISSOURI COMMUNITY DEVELOPMENT  
BLOCK GRANT MITIGATION (CDBG-MIT)

## 4. Risk-Based Mitigation Needs Assessment

### 4.1 Introduction

To align with the requirements in the FRN (84 FR 45840), MO DED has developed a Risk-Based Mitigation Needs Assessment to identify and analyze all significant current and future disaster risks in order to provide a substantive basis for the activities proposed in Section 5, CDBG-MIT Program Design.

This Assessment:

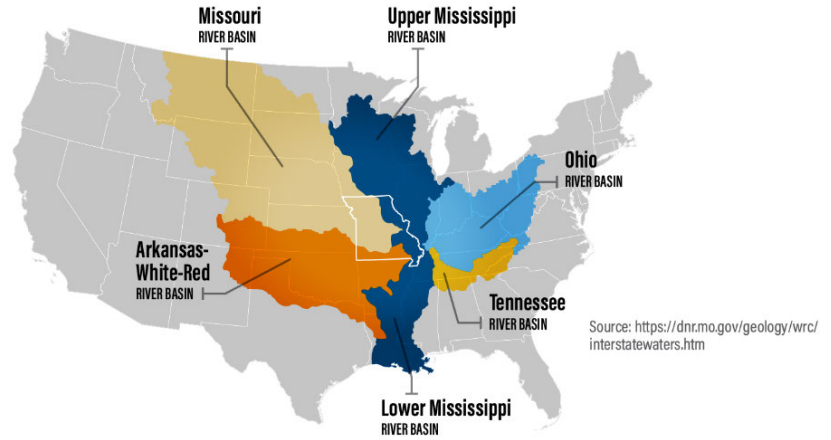
1. Provides an overview of Missouri's geographic landscape;
2. Summarizes climate trends and projections that may contribute to current and future risks;
3. Discusses historic damage patterns that have impacted the State of Missouri;
4. Identifies all considered resources, including the FEMA-approved SHMP and local Hazard Mitigation Plans (HMPs);
5. Assesses current and future risk to critical service areas or community lifelines;
6. Assesses risk to vulnerable populations and LMI; and
7. Addresses unmet mitigation needs in response to identified current and future risks.

The State consulted with SEMA, RPCs, the private sector, and other governmental agencies to provide a multi-hazard Risk-Based Mitigation Needs Assessment for the HUD and Missouri State Most Impacted and Distressed (MID) areas. This analysis of a broad range of data sources was key in the development of a comprehensive assessment of the hazards discussed here, which pose substantial risk of loss of life, injury, damage and loss of property, and suffering and hardship.

## 4.2 Overview of State Landscape and Climate Conditions

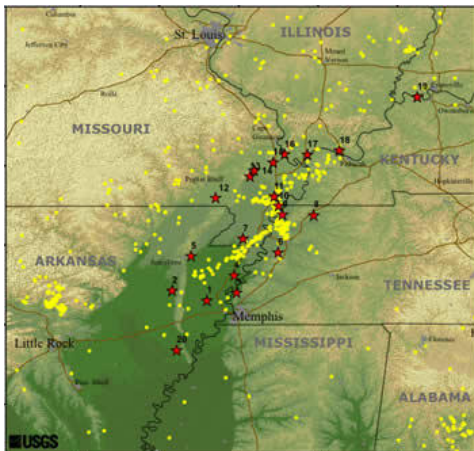
Missouri’s landscape presents unique and dynamic challenges for the State in terms of hazards and risks. Because the land that forms the State of Missouri is contained within the Mississippi, Missouri, and Arkansas White-Red River Basins (Figure 4), the State is faced with river drainage from multiple sources. One of these—the Mississippi River Basin—is the largest in terms of volume of water drained on the North American continent. Because of this, Missouri is subject to widespread flooding statewide.

**Figure 4: Mississippi, Missouri, and Arkansas White-Red River Basins**



Missouri also shares the potential hazard with these States for earthquakes in the southeastern portion of the State, which runs along the New Madrid Seismic Zone. Risks include damage or destruction to homes, businesses, and public facilities. Deformation of the land directly over a fault that moves may manifest as very localized uplift or subsidence, or lateral distortions of up to several meters (for a very large earthquake). Shaking can cause ground failure of various types, including liquefaction and land sliding. These would have a significant effect on the landscape in terms of damming streams, spewing sand and mud into fields, and causing areas near bluffs and rivers to slide and form a broken-up surface. Although not likely to cause statewide effects, local impacts could be severe.

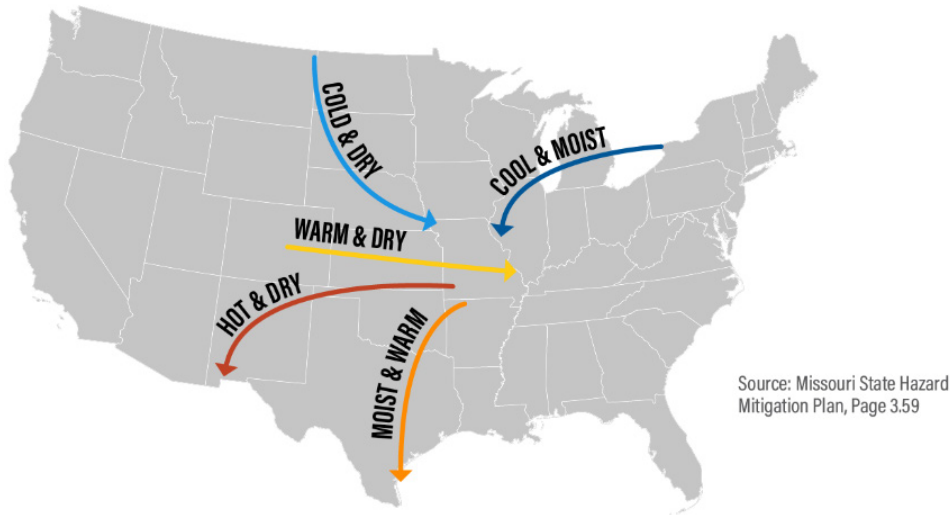
### New Madrid Seismic Zone



Source: <https://www.usgs.gov/media/images/new-madrid-seismic-zone>

Missouri also lacks strong geographic barriers, which allows for cold, dry air from the north to collide with warm, moist air from the Gulf of Mexico (Figure 5). This frequently triggers severe weather from thunderstorms, high winds, heavy rain, tornadoes, and hail.<sup>1</sup>

Figure 5: Missouri's Atmospheric Characteristics



### Projected Climate Conditions

Missouri's long-standing history of flooding and other risks may be affected by changing climate conditions. The SHMP highlighted projected changes in temperature, precipitation, and storm events.<sup>2</sup> The findings from the recently released Fourth National Climate Assessment (NCA4) provides updated information that reinforces the SHMP's conclusions.<sup>3</sup> These climate factors need to be considered in planning future investments to help ensure that programs and projects successfully increase resilience under both current and future conditions. Key findings from NCA4 and other sources are summarized below.

### Temperature

Warm-season temperatures are projected to increase more in the Midwest than in any other region of the United States. This dynamic will extend the number of frost-free days. Periods of extreme heat are expected to increase. NCA4 states that "By the middle of this century (2036–2065), 1 year out of 10 is projected to have a 5-day period that is an average

<sup>1</sup> Missouri State Hazard Mitigation Plan, page 3.51.

<sup>2</sup> Missouri State Hazard Mitigation Plan, 2018, Chapter 3.

<sup>3</sup> Impacts, Risks, and Adaptation in the United States: Fourth National Climate Assessment, Volume II, Chapter 21: Midwest. U.S. Global Change Research Program, Washington, DC, pp. 872–940. doi: 10.7930/NCA4.2018.CH21. <https://nca2018.globalchange.gov/chapter/midwest>

of 13°F warmer than a comparable period at the end of last century (1976–2005).”<sup>4</sup> Table 8 shows projected 5-day maximum temperatures for Southern Missouri.

Increasing average and extreme temperatures will contribute to increased incidence and duration of drought, with significant implications for Missouri’s agriculture, forests, and soil conditions, as well as impacts on water quality and public health. These impacts have both economic and social effects that can reduce communities’ adaptive capacity.

**Table 8: Modeled Historical and Projected Average Annual 5-Day Maximum Temperatures**

**Average Annual 5-Day Maximum Temperature**

Geographic Area	Modeled Historical (1976–2005)	Mid-21st Century (2036–2065) for Lower Scenario (RCP4.5)	Mid-21st Century (2036–2065) for Higher Scenario (RCP8.5)
Northern Minnesota	88°F	93°F	95°F
Southern Missouri	97°F	102°F	103°F

These modeled historical and projected average annual 5-day maximum temperatures illustrate the temperature increase projected for the middle of this century across the Midwest. Representative Concentration Pathways (RCP) are greenhouse gas concentration trajectories adopted by the Intergovernmental Panel on Climate Change. Different RCPs have been defined that assume different levels of greenhouse gas (GHG) concentrations; these pathways are used in global climate models to project future climate conditions under different GHG emissions futures. The RCP 8.5 scenario assumes continued increases in GHG emissions; the RCP 4.5 scenario assumes lower GHG emissions. For more information about RCPs, see <https://science2017.globalchange.gov/chapter/appendix-e/>.

Sources: National Oceanic and Atmospheric Administration, National Center for Environmental Information; North Carolina Institute for Climate Studies; and Fourth National Climate Assessment, Chapter 21

**Precipitation**

Total annual precipitation in the Midwest has been increasing and this trend is projected to continue. According to the National Oceanic and Atmospheric Administration (NOAA), “Missouri has experienced an increase in the number of heavy rain events, and the State’s position in the lower river basins of several large Midwestern rivers makes downstream flooding an extreme hazard in this State. Missouri is ranked fourth in State losses due to flooding for the period of 1955–1997.”<sup>5</sup>

<sup>4</sup> Vose, R.S., D.R. Easterling, K.E. Kunkel, A.N. LeGrande, & M.F. Wehner. 2017. Temperature changes in the United States. Climate Science Special Report: Fourth National Climate Assessment, Volume I. Wuebbles, D.J., D.W. Fahey, K.A. Hibbard, D.J. Dokken, B.C. Stewart, & T.K. Maycock, Eds. U.S. Global Change Research Program, Washington, DC, 185–206. <http://dx.doi.org/10.7930/loN29V45>. As cited in NCA4, Chapter 21.

<sup>5</sup> <http://www.ncei.noaa.gov>, <https://statesummaries.ncics.org/chapter/mo/>. Lead Authors: Rebekah Frankson and Kenneth E. Kunkel. Contributors: Sarah Champion and Brooke C. Stewart



NCA4 states, “Winter and spring precipitation are important to flood risk in the Midwest and are projected to increase by up to 30% by the end of this century. Heavy precipitation events in the Midwest have increased in frequency and intensity since 1901 and are projected to increase through this century.”<sup>6</sup> This will further exacerbate Missouri’s risk of flooding incidents, and points to the need to plan for higher volumes of water and the geographic extent of inundated areas.

### 4.3 Historic Damage Patterns and Storms

Due to Missouri’s geography and weather patterns, the State has a long history of natural disasters. Ice storms, tornadoes, severe storms, and flooding are all common occurrences that impact the State of Missouri.<sup>7</sup> Since 1957, Missouri has received more than 60 major Federal disaster declarations (44 CFR § 206.36(b)).

#### Major Disasters Declared

Table 9 shows major disaster declarations in the State of Missouri since 1957 by type.

**Table 9: Major Disaster Declarations in the State of Missouri**

Year	Date	Disaster Type	Disaster Number
2019	20-Jul	Severe Storms, Tornadoes, and Flooding	4451
2019	20-May	Severe Storms, Straight-Line Winds, and Flooding	4435
2017	28-Apr	Severe Storms, Tornadoes, Straight-Line Winds, and Flooding	4317
2015	27-Dec	Heavy Rains, Widespread Flash Flooding, and Flooding	4250
2015	10-Aug	Severe Storms, Tornadoes, Straight-Line Winds, and Flooding	4238
2014	31-Oct	Severe Storms, Tornadoes, Straight-Line Winds, and Flooding	4200
2013	6-Sep	Severe Storms, Straight-Line Winds, and Flooding	4144
2013	19-Jul	Severe Storms, Straight-Line Winds, Tornadoes, and Flooding	4130
2011	22-Aug	Severe Storms, Tornadoes, and Flooding	4012
2011	22-Apr	Severe Storms, Tornadoes, and Flooding	1980
2011	23-Mar	Severe Winter Storm and Snowstorm	1961
2010	17-Aug	Severe Storms, Flooding, and Tornadoes	1934
2009	19-Jun	Severe Storms, Tornadoes, and Flooding	1847
2009	17-Feb	Severe Winter Storm	1822
2008	13-Nov	Severe Storms, Flooding, and a Tornado	1809
2008	25-Jun	Severe Storms and Flooding	1773

<sup>6</sup> Easterling, D.R., K.E. Kunkel, J.R. Arnold, T. Knutson, A.N. LeGrande, L.R. Leung, R.S. Vose, D.E. Waliser, & M.F. Wehner. 2017. Precipitation change in the United States. Climate Science Special Report: Fourth National Climate Assessment, Volume I. Wuebbles, D.J., D.W. Fahey, K.A. Hibbard, D.J. Dokken, B.C. Stewart, & T.K. Maycock, Eds. U.S. Global Change Research Program, Washington, DC, 207–230.  
<http://dx.doi.org/10.7930/JOH993CC>

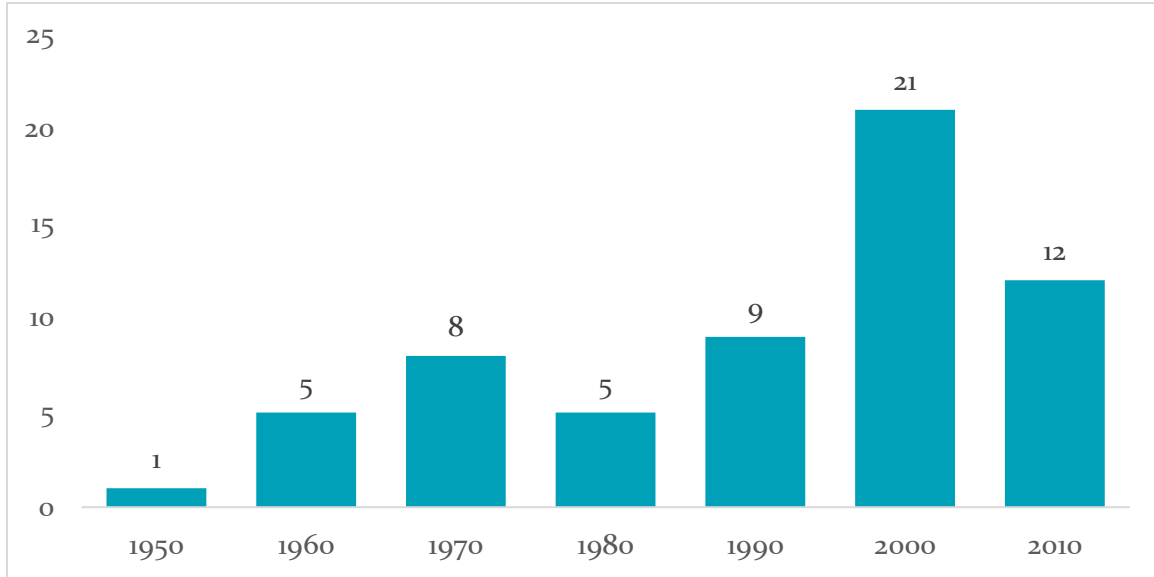
<sup>7</sup> Missouri State Emergency Management Agency, [https://sema.dps.mo.gov/maps\\_and\\_disasters/disasters/](https://sema.dps.mo.gov/maps_and_disasters/disasters/)

Year	Date	Disaster Type	Disaster Number
2008	23-May	Severe Storms and Tornadoes	1760
2008	19-Mar	Severe Storms and Flooding	1749
2008	12-Mar	Severe Winter Storms and Flooding	1748
2008	5-Feb	Severe Storms, Tornadoes, and Flooding	1742
2007	27-Dec	Severe Winter Storms	1736
2007	21-Sep	Severe Storms and Flooding	1728
2007	11-Jun	Severe Storms and Flooding	1708
2007	15-Jan	Severe Winter Storms and Flooding	1676
2006	29-Dec	Severe Winter Storms	1673
2006	2-Nov	Severe Storms	1667
2006	5-Apr	Severe Storms, Tornadoes, and Flooding	1635
2006	16-Mar	Severe Storms, Tornadoes, and Flooding	1631
2004	11-Jun	Severe Storms, Tornadoes, and Flooding	1524
2003	6-May	Severe Storms, Tornadoes and Flooding	1463
2002	6-May	Severe Storms and Tornadoes	1412
2002	6-Feb	Ice Storm	1403
2000	12-May	Severe Thunderstorms and Flash Flooding	1328
1999	20-Apr	Severe Storms and Flooding	1270
1998	19-Oct	Severe Storms and Flooding	1256
1998	14-Oct	Severe Storms and Flooding	1253
1995	2-Jun	Severe Storm, Tornadoes, Hail, Flooding	1054
1994	21-Apr	Severe Storm, Flooding, Tornadoes	1023
1993	1-Dec	Flooding, Severe Storm, Tornadoes	1006
1993	9-Jul	Flooding, Severe Storm	995
1993	11-May	Severe Storm, Flooding	989
1990	24-May	Flooding, Severe Storm	867
1986	14-Oct	Severe Storms, Flooding	779
1984	21-Jun	Severe Storms, Flooding	713
1982	10-Dec	Severe Storms, Flooding	672
1982	26-Aug	Severe Storms, Flooding	667
1980	15-May	Severe Storms, Tornadoes	620
1979	21-Apr	Tornadoes, Torrential Rain, Flooding	579
1977	14-Sep	Severe Storms, Flooding	538
1977	7-May	Tornadoes, Flooding	535
1976	21-Jul	Severe Storms, Flooding	516
1975	3-May	Tornadoes, High Winds, Hail	466
1974	10-Jun	Severe Storms, Flooding	439
1973	1-Nov	Severe Storms, Flooding	407
1973	19-Apr	Heavy Rains, Tornadoes, Flooding	372
1965	27-Jul	Severe Storms, Flooding	203
1965	14-Jun	Flooding	198
1964	8-Jul	Severe Storms, Flooding	173
1961	27-May	Floods	114
1960	20-Apr	Floods	100
1957	22-May	Tornadoes, Floods	75

Data Retrieved from <https://www.fema.gov/disasters>

Figure 6 summarizes the trend of disaster declarations over time since the 1950s for the State.

**Figure 6: Missouri Declared Disasters by Decade, 1957–2019**



Data Retrieved from <https://www.fema.gov/disasters>

Disasters in Missouri are often widespread and impact several counties. Table 10 depicts the total disaster declarations that have impacted the 55 State and HUD Most Impacted and Distressed (MID) counties in the State and Figure 7 depicts this visually.

**Figure 7: Major Declared Disasters by County**

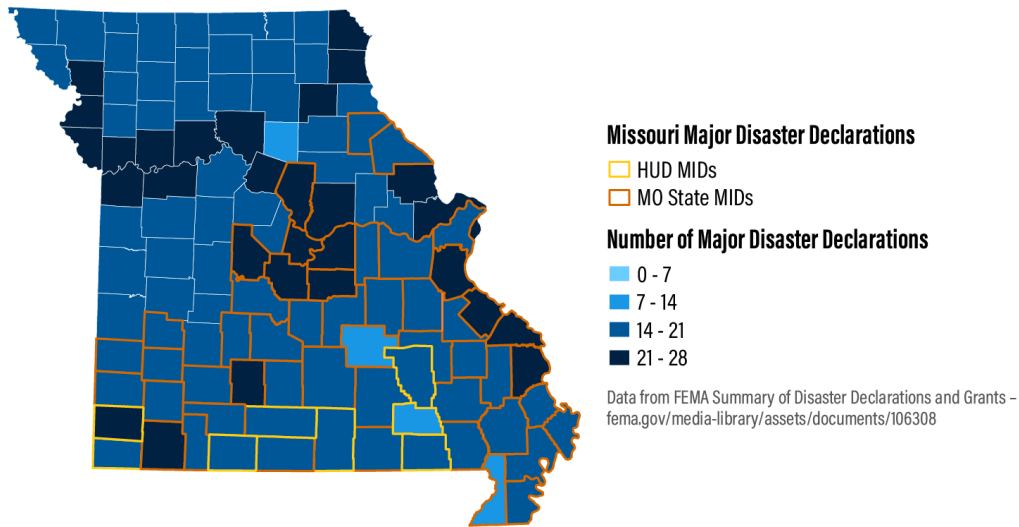


Table 10: Major Disasters in State and HUD MIDs, 1957–2017

County	Total Declared Disasters	County	Total Declared Disasters	County	Total Declared Disasters
Jefferson	25	Perry	22	St. Louis	20
Miller	25	Camden	21	Texas	20
Osage	25	Pike	21	Barton	19
Webster	25	Ralls	21	Cedar	19
Ste. Genevieve	24	Stone	21	Iron	19
Cole	23	Dallas	20	Bollinger	18
Newton*	23	Franklin	20	Christian	18
Barry	22	Greene	20	Crawford	18
Boone	22	McDonald*	20	Dade	18
Cape Girardeau	22	Phelps	20	Jasper	18
Maries	22	Pulaski	20		
Morgan	22	Scott	20		

STATE MID

HUD MID\*

#### 4.4 Data Sources, Research, and Analysis

##### Considered Resources

MO DED certifies that, in responding to this Action Plan requirement and presenting the required information, the department has reviewed and considered all applicable sources including, but not limited to, the following:

1. FEMA Hazard Mitigation Planning Resources  
<https://www.fema.gov/hazard-mitigation-planning-resources>
2. FEMA State Mitigation Planning Resources  
<https://www.fema.gov/state-mitigation-planning-resources>
3. FEMA Implement Mitigation Planning Activities  
<https://www.fema.gov/emergency-managers/practitioners/hazard-mitigation/implementing>
4. FEMA Mitigation Planning Resources  
<https://www.fema.gov/emergency-managers/risk-management/hazard-mitigation-planning>
5. U.S. Forest Service wildland fire resources  
<https://www.fs.fed.us/managing-land/fire>
6. National Interagency Coordination Center  
<https://www.nifc.gov/nicc/>
7. HUD Office of Community Planning and Development (CPD) Mapping Tool  
<https://egis.hud.gov/cpdmaps/>

8. U.S. Department of Homeland Security Office of Infrastructure Protection  
<https://www.dhs.gov/topic/critical-infrastructure-security>
9. FEMA Community Lifelines Implementation Toolkit  
<https://www.fema.gov/media-library/assets/documents/177222>
10. U.S. Army Corps of Engineers. 2015. Recent US Climate Change and Hydrology Literature Applicable to US Army Corps of Engineers Missions – Upper Mississippi Region.
11. U.S. Department of Energy, Office of Energy Policy and Systems Analysis. 2015, October. Climate Change and the U.S. Energy Sector: Regional Vulnerabilities and Resilience Solutions.

### State Hazard Mitigation Plan

The State of Missouri's 2018 Hazard Mitigation Plan is the most recent risk assessment completed through FEMA's Hazard Mitigation Plan process, and serves as the foundation for this Risk-Based Mitigation Needs Assessment. The FEMA-approved SHMP was completed by the Missouri Department of Public Safety SEMA. This Missouri SHMP is a critical component of State-level programs for the management of disasters and their impacts, and takes into account years of mitigation experience and initiatives. The plan serves to summarize the methods that the State will use to prioritize cost-effective mitigation measures, and provides a blueprint for hazard mitigation activities in Missouri.<sup>8</sup> The plan includes a risk assessment that identifies the type and location of hazards that can affect Missouri and vulnerabilities to the hazards identified. This Risk-Based Mitigation Needs Assessment aligns with the hazards discussed in the State Hazard Mitigation Plan's Risk Assessment.

### Missouri State Hazard Mitigation Viewer

As part of Missouri's 2018 Hazard Mitigation Plan update, SEMA provided online access to the risk assessment data and associated mapping for the 114 counties in the State through a web-based Missouri Hazard Mitigation Viewer. This application provides local planners or other interested parties with the hazard datasets used to develop the 2018 State Plan update, which can be used for both statewide and local risk assessments in one central location. These datasets were utilized as a starting point for much of the Risk-Based Mitigation Needs Assessment in this plan in an effort to align with the State Hazard Mitigation Plan.

### 2019/2020 Missouri Association of Councils of Government (MACOG) Survey

In addition, in December 2019, MO DED developed a survey for each of the State's RPCs in order to obtain additional details regarding the impacts on the communities in their areas,

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<sup>8</sup> Missouri State Hazard Mitigation Plan, p. 2.

identified risks, costs of the 2017 disaster, and types of mitigation activities they would like to see implemented with the CDBG-MIT funds in their areas. The survey was implemented via Google Forms and sent via email to potential participants. The results of this survey can be found in Appendix 2.

**Status of Local Mitigation Plans**

A list of the Missouri Local Hazard Mitigation Plans, with expiration dates, is available on SEMA’s website at <https://sema.dps.mo.gov/docs/programs/LRMF/mitigation/local-hazard-mitigation-list-update.pdf>. These counties should note that they may be eligible for funding to update local hazard mitigation plans through this funding opportunity, as well as additional critical planning activities. The State notes that SEMA has a Hazard Mitigation Planning Program that provides planning grants through FEMA's Hazard Mitigation Assistance grants to fund updates to local hazard mitigation plans. The State will ensure that coordination will occur with SEMA to prevent duplication of these programs should funding be considered for local plan updates.

As part of this Action Plan, the State presents the current expiration dates of local hazard mitigation plans for the State and HUD MID.

**Table 11: Expiration Dates of Hazard Mitigation Plans, Organized by Regional COGs and Respective MID Counties**

Regional COG	MID Counties Represented by COG	Date Most Recent Hazard Mitigation Plan Expires
Bootheel Regional Planning and Economic Development Commission	Dunklin	Jun-24
	Mississippi	Jul-24
	New Madrid	Jan-24
	Pemiscot	Jan-24
	Scott	Aug-24
East-West Gateway Council of Governments	Franklin*	Jul-20
	Jefferson*	Jul-20
	St. Louis*	Jul-20
Harry S. Truman Coordinating Council	McDonald (HUD MID)	Mar-22
	Newton (HUD MID)*	Apr-21
	Barton	Mar-24
	Jasper*	Apr-21
Kaysinger Basin Regional Planning Commission	Cedar	Apr-24
Lake of the Ozarks Council of Local Governments	Camden	Oct-20
	Miller	Jul-23
	Morgan	Oct-23
Mark Twain Council of Governments	Pike	May-22
	Ralls	Apr-22

Regional COG	MID Counties Represented by COG	Date Most Recent Hazard Mitigation Plan Expires
Meramec Regional Planning Commission	Crawford	Jun-23
	Dent	Oct-23
	Gasconade	Jan-22
	Maries	Sep-24
	Osage	Jun-23
	Phelps	Aug-21
	Pulaski	Apr-21
	Washington	May-23
Mid-Missouri Regional Planning Commission	Boone*	Sep-20
	Cole	Aug-21
Ozark Foothills Regional Planning Commission	Carter (HUD MID)	Feb-25
	Reynolds (HUD MID)	Sep-22
	Ripley (HUD MID)	Sep-21
	Butler	Feb-23
	Wayne	Aug-24
South Central Ozark Council of Governments	Douglas (HUD MID)	Apr-23
	Howell (HUD MID)	Jun-22
	Oregon	Jan-22
	Ozark	May-23
	Shannon	Jun-23
	Texas	May-25
	Wright	Jan-22
Southeast Missouri Regional Planning Commission	Bollinger	Mar-25
	Cape Girardeau	Sep-21
	Iron	May-25
	Madison	Jun-23
	Perry	Jan-25
	Ste Genevieve	Mar-25
Southwest Missouri Council of Governments	Taney (HUD MID)	Nov-22
	Barry	Nov-21
	Christian	Mar-21
	Dade	May-24
	Dallas	Aug-23
	Greene	Jul-20
	Lawrence	Dec-22
	Stone	Mar-23
	Webster	Apr-21

\* Draft available for public comment pending approval, at the time of the Action Plan’s development.

This table identifies all state regional planning commissions or council of governments, the respective MIDS part of each RPC/COG, and the last published date of the Hazard Mitigation Plan that applies to the region.

**SEMA 2018 Analysis of Local Mitigation Plans**

As part of the State’s 2018 FEMA-approved Hazard Mitigation Plan, SEMA reviewed the risk assessments of each county in the State’s FEMA-approved local, regional, or multi-jurisdictional hazard mitigation plan in order to better understand the vulnerabilities of the jurisdictions and to identify those most threatened by hazards. Where available, a ranking was given and described in terms of high, moderate, or low.<sup>9</sup> The result is a uniform summary of hazard rankings by county across the State.

MO DED used the findings and identified the HUD and State MIDs in Table 12, 2018 SEMA Hazard Rankings by County for HUD and State MIDs.

**Table 12: 2018 SEMA Hazard Rankings by County for HUD and State MIDs**

County	Dam Failure	Drought	Earthquake	Fires (structural, urban, and wild)	Heat Wave	Landslide/Land Subsidence	Riverine Flooding (Major and Flash)	Severe Winter Weather	Thunderstorms	Tornadoes	Lightning	STATE MID
												HUD MID*
Barry	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
Barton	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	M	N/A	M	
Bollinger	N/A	M	M	N/A	M	N/A	N/A	N/A	H	H	H	
Boone	M	H	M	H	H	N/A	H	N/A	H	H	H	
Butler	M	M	H	L	H	N/A	H	N/A	H	N/A	H	
Camden	L	H	L	H	M	L	H	N/A	H	H	H	
Cape Girardeau	L	M	M	M	M	M	H	L	H	H	H	
Carter*	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
Cedar	L	M	L	L	M	L	H	M	M	H	H	
Christian	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
Cole	L	H	M	M	H	N/A	H	M	H	H	H	
Crawford	L	L	M	H	H	L	H	N/A	H	H	M	
Dade	M	M	L	M	L	L	M	N/A	M	H	H	
Dallas	L	L	L	L	L	L	H	N/A	H	H	H	
Dent	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
Douglas*	N/A	L	M	L	M	N/A	H	N/A	H	N/A	H	
Dunklin	M	M	M	N/A	M	N/A	M	N/A	M	H	M	
Franklin	L	M	H	M	H	N/A	H	N/A	L	H	H	
Gasconade	L	L	M	H	H	L	H	N/A	H	H	L	
Greene	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
Howell*	L	M	H	M	M	N/A	H	N/A	H	H	H	
Iron	M	M	M	H	M	L	H	N/A	H	H	H	
Jasper	L	M	L	M	L	L	M	N/A	M	M	H	

STATE MID
HUD MID*
<b>Hazard Ranking</b>
High
Moderate
Low

<sup>9</sup> Missouri State Hazard Mitigation Plan, Section 3.563, p. 593.  
[https://sema.dps.mo.gov/docs/programs/LRMF/mitigation/MO\\_Hazard\\_Mitigation\\_Plan2018.pdf](https://sema.dps.mo.gov/docs/programs/LRMF/mitigation/MO_Hazard_Mitigation_Plan2018.pdf)



County	Dam Failure	Drought	Earthquake	Fires (structural, urban, and wild)	Heat Wave	Landslide/Land Subsidence	Riverine Flooding (Major and Flash)	Severe Winter Weather	Thunderstorms	Tornadoes	Lightning
Jefferson	L	M	H	L	H	N/A	H	N/A	M	H	H
Lawrence	L	M	M	N/A	L	L	M	N/A	L	H	H
Madison	L	L	M	L	L	N/A	H	N/A	M	H	H
Maries	L	L	M	H	H	L	H	N/A	H	H	L
McDonald*	L	M	L	M	H	N/A	M	N/A	M	H	H
Miller	L	M	L	L	M	N/A	H	N/A	H	N/A	H
Mississippi	N/A	M	H	N/A	M	N/A	M	N/A	M	H	M
Morgan	L	M	L	M	M	L	H	N/A	H	N/A	H
New Madrid	N/A	M	M	N/A	M	N/A	M	N/A	M	H	M
Newton*	L	M	L	M	L	N/A	M	N/A	M	M	H
Oregon	L	M	M	M	L	N/A	H	N/A	H	H	H
Osage	L	L	M	H	H	L	H	L	H	H	M
Ozark	L	L	M	L	M	N/A	H	N/A	H	N/A	H
Pemiscot	N/A	M	H	N/A	M	N/A	H	N/A	M	H	M
Perry	L	M	M	M	M	H	H	L	M	H	H
Phelps	N/A	L	N/A	H	L	N/A	N/A	N/A	L	M	H
Pike	L	M	M	L	M	L	H	N/A	H	M	M
Pulaski	N/A	L	N/A	H	L	N/A	N/A	N/A	L	M	H
Ralls	M	M	L	L	M	L	H	N/A	M	H	H
Reynolds*	M	M	H	L	H	N/A	H	N/A	H	N/A	M
Ripley*	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	M	N/A	M
Scott	L	M	M	N/A	M	N/A	M	N/A	M	H	M
Shannon	L	L	M	L	M	N/A	H	N/A	H	N/A	H
St. Louis	L	M	H	L	H	N/A	H	N/A	H	H	H
Ste. Genevieve	M	M	M	M	M	M	H	M	H	H	H
Stone	L	L	L	L	L	N/A	H	N/A	H	H	H
Taney*	M	L	L	H	M	N/A	H	N/A	M	H	H
Texas	L	M	M	L	L	N/A	H	L	M	H	H
Washington	L	L	M	H	H	L	H	N/A	H	H	H
Wayne	M	M	H	M	M	N/A	H	N/A	M	N/A	H
Webster	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Wright	L	L	L	L	L	N/A	L	N/A	M	M	M

STATE MID
HUD MID*
<b>Hazard Ranking</b>
High
Moderate
Low

Retrieved from the Missouri State Hazard Mitigation Plan, Section 3.568.

[https://sema.dps.mo.gov/docs/programs/LRMF/mitigation/MO\\_Hazard\\_Mitigation\\_Plan2018.pdf](https://sema.dps.mo.gov/docs/programs/LRMF/mitigation/MO_Hazard_Mitigation_Plan2018.pdf)

Both MO DED and SEMA note that at the time of this Action Plan’s development, several local HMPs used in this 2018 analysis were in the process of being updated or have since been updated. However, because Missouri’s 2018 State Hazard Mitigation Plan does not expire until 2023, SEMA confirmed that the summary hazard ranking table presented here reflects the most current analysis available at the time of this Action Plan’s development. However, the findings in the 2018 SHMP still represent a strong qualitative analysis that highlights how hazards are ranked and differ regionally across the State in the MID counties.

Using this hazard ranking conducted by SEMA, the State summarized the total high, medium, and low ranking for each hazard in the MID counties. This was used to better inform which hazards are of high concern consistently across State and HUD MID counties. The results are shown in Table 13.

**Table 13: Total Hazard Ranking Summary for State and HUD MIDs**

Hazard	High	Moderate	Low	N/A
Lightning	35	12	2	6
Riverine Flooding (Major and Flash)	34	9	1	11
Tornadoes	33	6	0	16
Thunderstorms	25	20	4	6
Heat Wave	13	22	12	8
Fires (Structural, Urban, and Wild)	11	13	16	15
Earthquake	9	23	13	10
Drought	3	29	15	8
Landslide/Land Subsidence	1	2	15	37
Dam Failure	0	10	30	15
Severe Winter Weather	0	3	4	48

Data from the Missouri State Hazard Mitigation Plan, Section 3.568.

The data presented here shows that based on the total number of high rankings, the top risks impacting the HUD and State MID counties through this analysis are as follows:

1. Severe Thunderstorms and Lightning
2. Flooding (Riverine and Flash)
3. Tornadoes

Other risks identified include fires, earthquakes, landslides, and other weather-related events, such as heat waves, drought, and severe winter weather; however, these risks are not considered to be a high risk across the larger CDBG-MIT-targeted HUD and State MID counties. For example, the potential for the New Madrid earthquake is a high-risk concern for some counties in the southeastern part of the State. Activities to mitigate earthquake impacts largely depend on establishing building codes that meet earthquake standards. Counties in this risk area will be eligible to apply for CDBG-MIT planning funds to assist

with updating and hardening building codes to mitigate earthquake impacts. As part of the identification of potential mitigation projects for CDBG-MIT funding, counties are encouraged to review the most recent risks assessment completed in their applicable local Hazard Mitigation Plan to ensure alignment with top risks and mitigation objectives.

The overall findings identified in reviewing SEMA's analysis of local HMPs further support the prioritization of the greatest risks where CDBG-MIT funds would have the most impact as described in the section below.

#### 4.5 State Greatest Risk Profile

The State indicates that each hazard noted in the 2018 SHMP poses a significant threat. Of the hazards identified in the SHMP, three have been identified as being a priority for this mitigation needs assessment. These are historical hazards that have the potential to continue to threaten the lives and property of Missouri, especially in the MID-identified counties.

Severe thunderstorms and lightning, flooding, and tornadoes were found to be the highest risks in MID counties. These hazards have been selected based largely on SEMA's 2018 SHMP summary hazard ranking of local plans, data on previous federally declared disasters, and survey input from various planning commissions in the MID counties.

The high vulnerability and historical impact noted for these hazards in both the 2018 State Hazard Mitigation Plan and local mitigation plans, as well as existing mitigation programs throughout the State, indicate the extent of their impact and the importance of continuing to implement mitigation measures. This section analyzes both quantitative and qualitative data for these hazards and both historical and future risks to the State of Missouri, particularly in MID-identified areas.

#### Severe Thunderstorms and Lightning

##### Overview of Hazard

A thunderstorm is defined as a storm that contains thunder and lightning, caused by unstable atmospheric conditions. Upper-level cold air sinks, while warm, moist air rises, spurring the development of storm clouds or "thunderheads," resulting in a thunderstorm. Thunderstorms can occur singularly, or in clusters or lines. A "severe" thunderstorm according to the National Weather Service is one that contains either 1-inch hail or wind gusts exceeding 58 mi/h (note that the size range for a severe storm was upgraded from  $\frac{3}{4}$  inch to 1 inch during the development of the SHMP, so  $\frac{3}{4}$  inch was used for the development of the SHMP).<sup>10</sup> Severe thunderstorms are associated with other hazards,

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<sup>10</sup> Missouri State Hazard Mitigation Plan, Section 3.280.

such as flooding, tornadoes, damaging winds, hail, and lightning. This section focuses on damaging winds, hail, and lightning.

### Damaging winds

Thunderstorms can produce damaging winds such as downbursts, microbursts, and straight-line winds. Downbursts are localized currents of air that emanate from a point source above and blow out radially from the ground surface landing point. Microbursts are smaller downbursts occurring in an area of less than 2.5 miles across. Downbursts create wind shear (rapid change in wind speed or direction) and can also create straight-line winds (thunderstorm winds that are not associated with rotation).<sup>11</sup>

### Lightning

Lightning is a giant spark of electricity in the atmosphere among clouds, the air, and the ground, and can strike as far as 10 miles away from the rainfall area. Lightning is more likely to strike tall objects, such as buildings, trees, or mountains.<sup>12</sup>

### Hail

Hail is precipitation in the form of solid ice that forms inside thunderstorm updrafts. Hail can range in size from tiny pellets smaller than a pea to grapefruit size. Large hailstones (more than 4 inches diameter) can fall at speeds of 100 miles per hour (mi/h).<sup>13</sup>

### Historical Impact Statewide

Severe thunderstorms are common in Missouri, with all areas of the State affected. In the past 40 years, Missouri has experienced 10,593 high-wind events greater than 40 mi/h. These events have caused a total of \$289 million in property damage and \$33 million in crop losses.<sup>14</sup> In the same period, there were 12,694 hail events with hail larger than  $\frac{3}{4}$  inch, with property damage topping \$1 billion. A total of 226 lightning events were also reported, with more than \$9 million in damages. From 1975 to 2016, there were 41 Presidentially Declared Disasters in Missouri that included severe thunderstorms.

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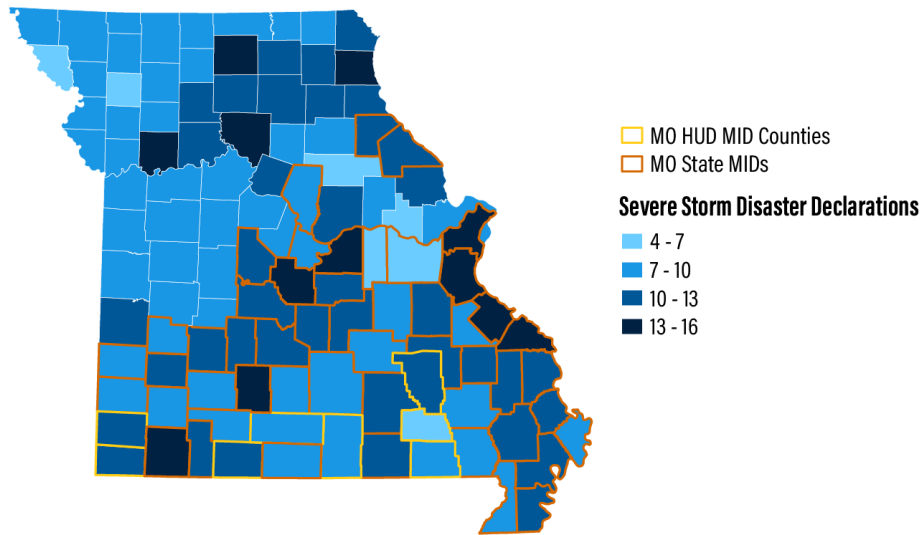
<sup>11</sup> <https://www.nssl.noaa.gov/education/svrwx101/wind/types/>

<sup>12</sup> <https://www.nssl.noaa.gov/education/svrwx101/lightning/>

<sup>13</sup> <https://www.nssl.noaa.gov/education/svrwx101/hail/>

<sup>14</sup> National Center for Environmental Information, <https://www.ncdc.noaa.gov/stormevents/choosedates.jsp?statefips=29%2CMISSOURI>; \*Through 12/31/2016

Figure 8: Severe Thunderstorm Disaster Declarations by County, 1975–2016



**Future Risk**

While severe thunderstorms affect the entire State, potential losses (annualized losses from wind damage, hail, and lightning) are highest in the southern part of the State, as well as areas with high population density around St. Louis. Six of the top 10 highest potential loss counties are State MID counties.

Figure 9: Annualized Potential Losses from Severe Thunderstorms by County

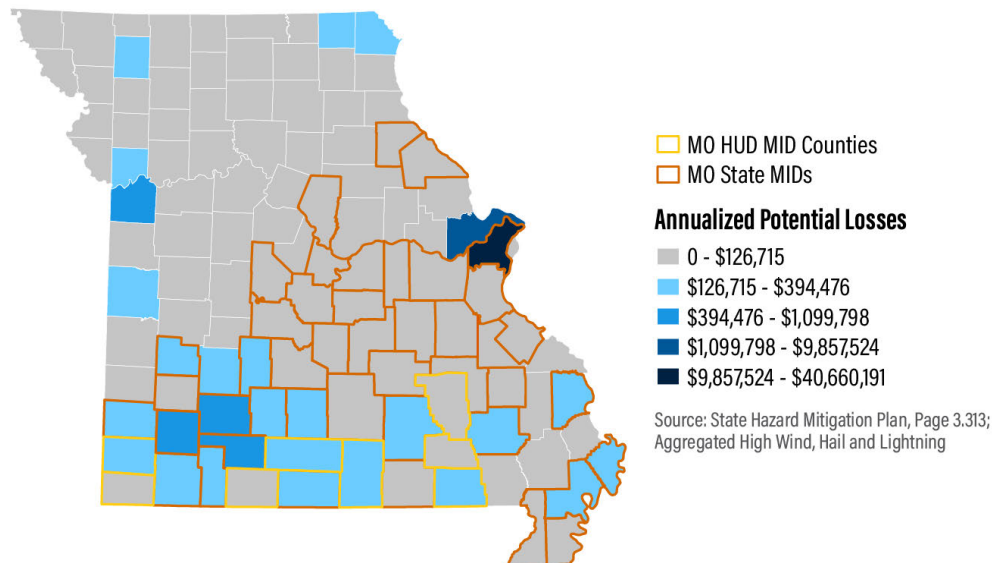
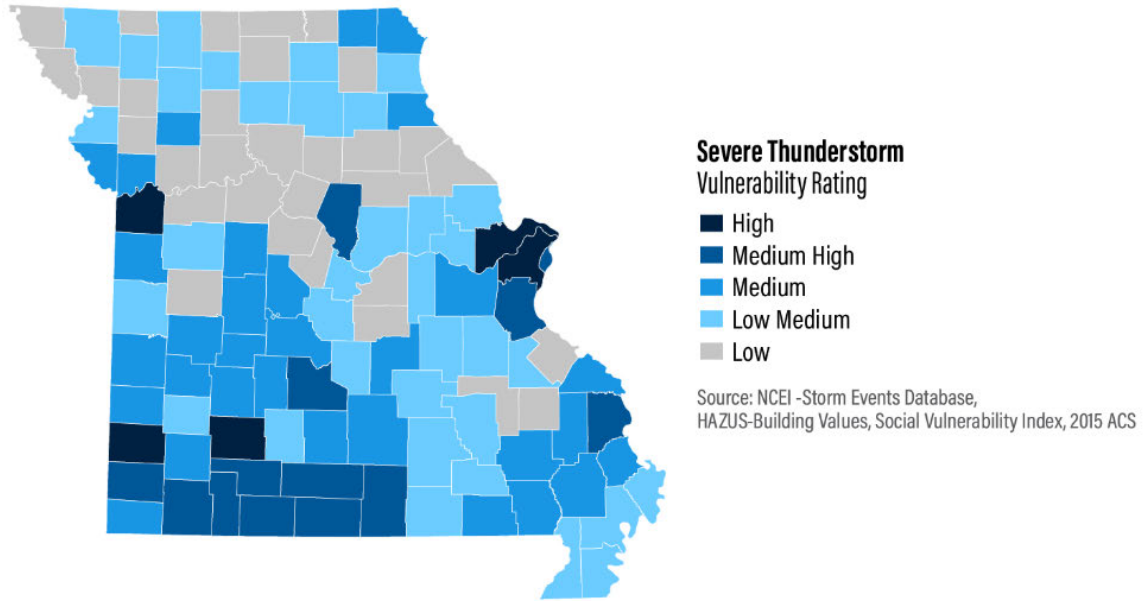


Table 14: Top 10 Counties for Severe Storm Annualized Potential Losses

County	Severe Thunderstorm Annualized Potential Loss	STATE MID
St. Louis	\$40,660,191	HUD MID*
St. Charles	\$ 9,857,524	
Perry	\$ 2,768,048	
Jackson	\$ 1,099,798	
Greene	\$ 898,315	
Butler	\$ 585,333	
Bollinger	\$ 552,048	
Stoddard	\$ 546,858	
Lawrence	\$ 546,524	
Scott	\$ 546,382	
Ripley*	\$328,000	
Douglas*	\$301,262	
Newton*	\$207,001	
Howell*	\$199,810	
Taney*	\$126,715	
Carter*	\$121,000	
Reynolds*	\$ 2,905	

The State HMP conducted an analysis to determine vulnerability to severe thunderstorms across Missouri using data from the National Center for Environmental Information, HAZards U.S. (HAZUS®) Building Exposure Value data, Manufactured Housing Unity (MHU) data from the U.S. Census, and the Social Vulnerability Index. The analysis took into account housing density, building exposure, percentage of MHUs, social vulnerability, the likelihood of occurrence, and past property loss. The combined vulnerability summary map for severe thunderstorms is shown below.

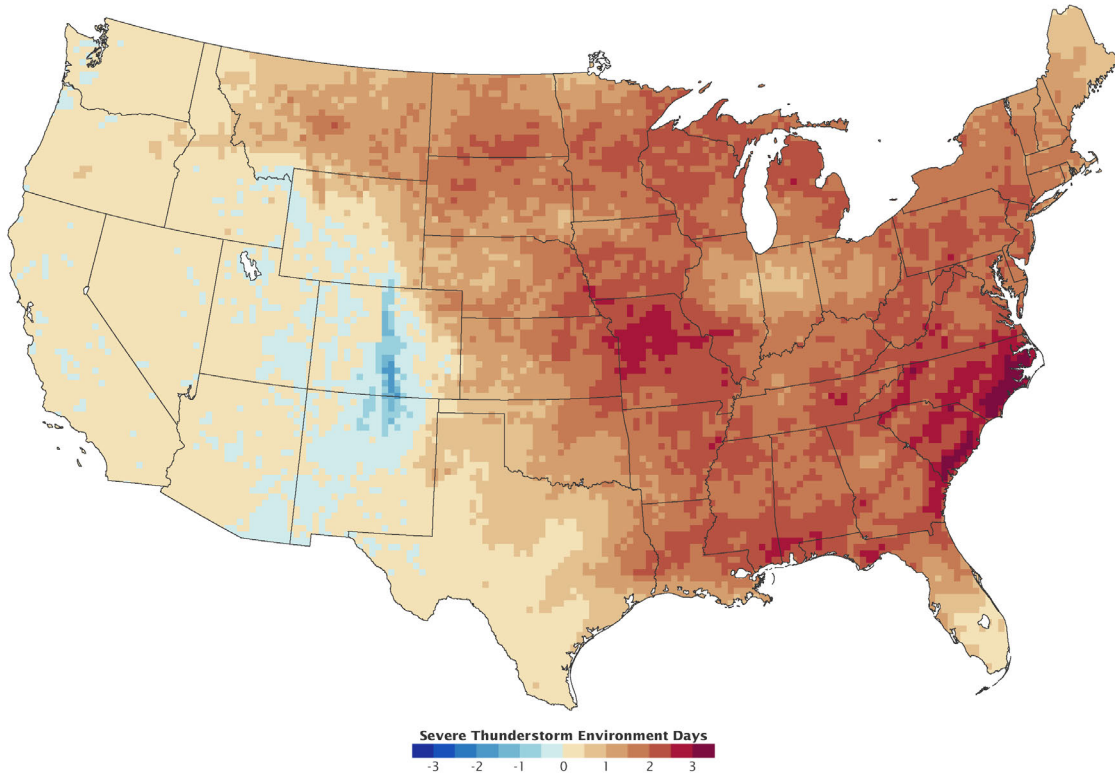
Figure 10: Social Vulnerability Map for Severe Thunderstorms



While climate change was not factored into the vulnerability analysis, climate change is expected to cause an increase in the number of days with favorable conditions for thunderstorms, with Missouri seeing an increase of 2–3 days per year, as evidenced in the map below.<sup>15</sup>

<sup>15</sup> <https://earthobservatory.nasa.gov/images/80825/severe-thunderstorms-and-climate-change>

Figure 11: Projection of Increase in Severe Thunderstorm Environment Days, 1962–2099, National Aeronautics and Space Administration



Source: <https://earthobservatory.nasa.gov/images/80825/severe-thunderstorms-and-climate-change>

## Flooding

### Overview of Hazard

Flooding is defined as the partial or complete inundation of normally dry land areas resulting from the overflow of inland or tidal water and surface water runoff from any source. Floods are one of the most common natural disasters in the United States and one of the greatest risks facing the State of Missouri. Within the State, there are typically two distinct types of flooding that should be noted.

### Riverine Flooding

Riverine flooding is defined as the overflow of rivers, streams, drains, and lakes due to excessive water from sources such as rainfall or rapid melting of snow or ice. There are several types of riverine floods, including headwater, backwater, interior drainage, and flash flooding.<sup>16</sup>

<sup>16</sup> Missouri State Hazard Mitigation Plan, p. 3.80.



## Flash Flooding

Flash flooding is characterized by the rapid accumulation or runoff of surface waters from any source. This type of flooding impacts smaller rivers, creeks, and streams, and can occur as a result of dams being breached or overtopped. Because flash floods can develop in a matter of hours, most flood-related deaths result from this type of event.<sup>17</sup>

## Flooding as a Result of Levee or Dam Failure

### *Levee Failure*

Levees are embankments constructed along rivers and coastlines that serve to protect adjacent lands from flooding. Levee failure refers to either breaching or overtopping of a levee whereby part of the levee structure breaks away, allowing water to rush through, or floodwaters rise above the levee. This causes a sudden and often highly damaging release of flood surge or flood wave downstream.

### *Dam Failure*

A dam is typically defined as an artificial barrier that is constructed across a stream or water channel to block off water flow. Dam failure is characterized by an uncontrolled release of water from behind a dam as a result of structural deficiency or damage due to flooding, earthquakes, landslides, poor construction or poor maintenance, improper operation, or intentional destruction. Similar to levee failure, when a dam failure occurs, a large and damaging volume of water is immediately released. This has the potential to damage infrastructure and cause flooding to the area downstream of the dam.

The 2018 Missouri SHMP recognizes levee and dam failure as their own natural, flood-related hazard. However, the State also recognizes that only a limited number of local hazard mitigation plans discussed levee failure as a hazard separate from flooding.<sup>18</sup> For this reason, this action plan discusses flooding as one sole hazard.

## Data and Sources on the Historical Impact on HUD and State MIDs

Missouri has a long history of extensive flooding over the past century as flooding along Missouri's major rivers generally results in slow-moving disasters and places a heavy burden in terms of human suffering and losses to public and private property.<sup>19</sup> A study by NOAA documented an increase in extreme precipitation events in Missouri since 1900, as shown in Figure 12.

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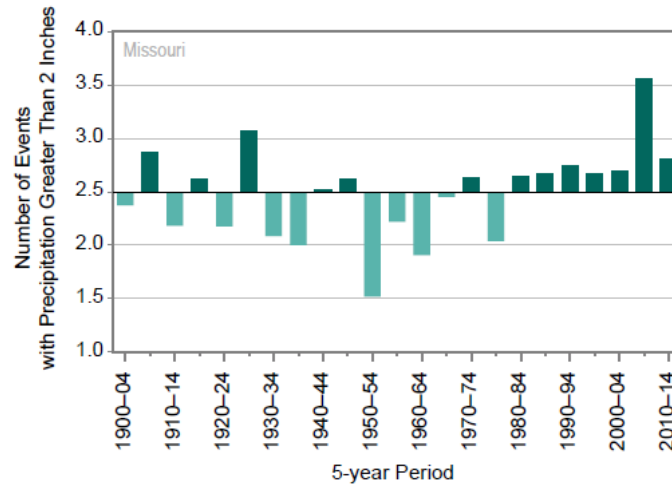
<sup>17</sup> Ibid.

<sup>18</sup> Missouri State Hazard Mitigation Plan, p. 3.563.

<sup>19</sup> Missouri State Hazard Mitigation Plan, p. 3.82.

Figure 12: Extreme Precipitation Events

Observed Number of Extreme Precipitation Events



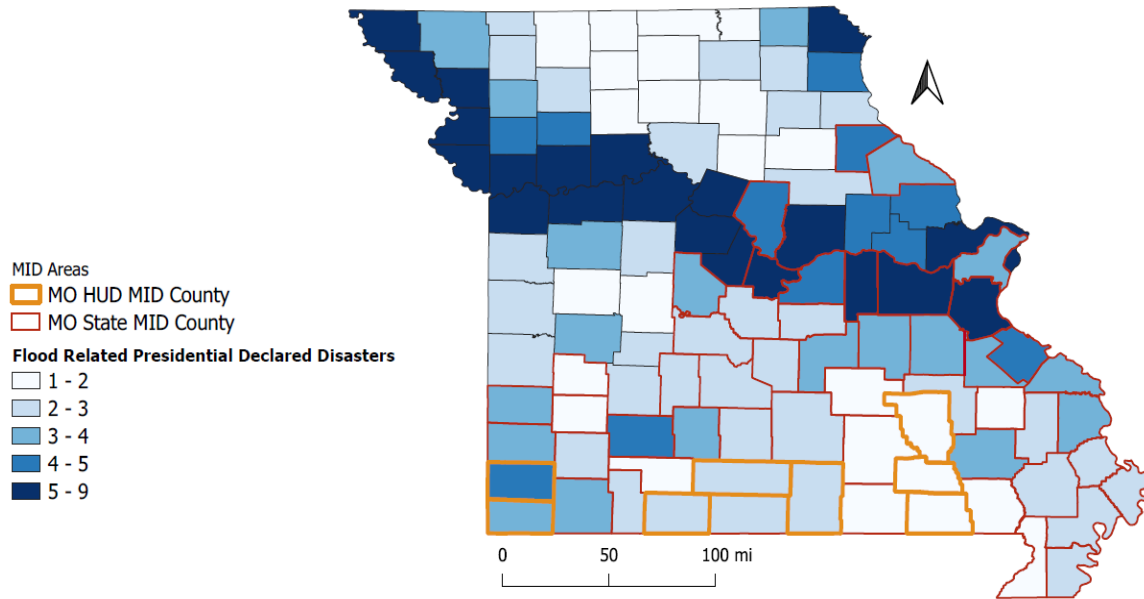
**Figure 5:** The observed number of days with extreme precipitation events (annual number of days with precipitation above 2 inches) for 1900–2014, averaged over 5-year periods; these values are averages from 28 long-term reporting stations. The dark horizontal lines represent the long-term average. A typical station experiences 2–3 days annually with 2 inches or more of precipitation. Over the past three decades, Missouri has experienced an above average number of extreme precipitation events, with the highest number occurring during 2005–2009 when a typical station experienced 3–4 such events each year. Source: CICS-NC and NOAA NCEI.

Source: NOAA National Centers for Environmental Information. State Summaries 149-MO. [www.NCEI.NOAA.gov](http://www.NCEI.NOAA.gov). Lead Authors: Rebekah Frankson and Kenneth E. Kunkel. Contributors: Sarah Champion and Brooke C. Stewart. <https://statesummaries.ncics.org/chapter/mo/>

Flash flood events in recent years have caused a higher number of deaths and major property damage in many areas across the State. The State of Missouri has had more than 40 flood-related disaster declarations since the 1970s,<sup>20</sup> which have impacted all counties within the State to varying degrees, as depicted in Figure 13.

<sup>20</sup> <https://www.fema.gov/media-library/assets/documents/106308>

Figure 13: Flood-Related Disaster Declarations, 1960–2017



Data from: <https://www.fema.gov/disasters/state-tribal-government/>

The analysis here shows that, historically, the following State or HUD MID counties have had the most flood-related Presidentially Declared Disasters.

Table 15: Top 10 Counties with the Most Flood-Related Presidentially Declared Disasters, 1960–2017

County	Flood-Related Presidentially Declared Disasters	
Franklin	8	STATE MID
Cole	7	HUD MID*
Gasconade	6	
Jefferson	6	
Boone	5	
Greene	5	
Osage	5	
Ralls	5	
Ste. Genevieve	5	
Newton*	5	

However, the number of Presidentially Declared Disasters is not fully indicative of the type of damage and impact that floods have on the State of Missouri. SEMA analyzed NFIP flood-loss data in order to determine areas in Missouri with the greatest flood risk. The greatest losses have been in the counties along the Mississippi River corridor.<sup>21</sup> The top 10 counties for flood insurance dollars historically paid from 1978 to 2017 are depicted in Table 16.

**Table 16: Top 10 Counties for Flood Insurance Dollars Paid (Historical), 1978–2017**

County	Dollars Paid (Historical)	Flood Claims	Current Policies	Coverage	STATE MID	HUD MID*
St. Louis	\$ 184,007,986	10,427	3,968	\$1,024,874,500		
St. Charles	\$ 135,291,321	10,999	1,707	\$ 361,441,500		
Jefferson	\$ 58,862,527	4,604	1,101	\$ 187,524,500		
Clay	\$ 44,314,003	2,351	1,469	\$ 398,377,000		
Holt	\$ 34,003,713	1,106	214	\$ 24,946,800		
Lincoln	\$ 32,481,413	2,332	360	\$ 40,671,900		
Franklin	\$ 25,889,776	1,092	412	\$ 70,329,700		
Taney*	\$ 16,308,666	387	517	\$ 90,706,400		
Platte	\$ 13,828,821	380	182	\$ 47,705,800		
Buchanan	\$ 13,514,850	435	352	\$ 69,651,900		
Totals	\$558,503,076	34,113	7,715	\$2,316,230,000		

Source: Table from State Hazard Mitigation Plan, p. 3.106. Data from the Community Status Book Report on Communities Participating in the National Flood Program found on FEMA CIS, November 2017.

Note: Only NFIP participating communities can have flood insurance losses.

### Repetitive Loss from Floods

The Missouri SEMA employs a Repetitive Flood Loss Strategy, which is based on the State Risk Assessment and the State addressing repetitively flooded structures in its risk assessment. SEMA provides guidance and outreach to all State communities and informs local jurisdictions about the number of severe repetitive loss properties.<sup>22</sup>

Per Missouri’s 2018 State Hazard Mitigation Plan, the State of Missouri had 196 properties designated as Severe Repetitive Loss (SRL) with total payments to property owners (building and contents) of more than \$35 million. These 196 SRL properties had 1,460 losses or an average of 7.4 losses for each SRL property. The breakdown of each county is included in Table 17 below.

<sup>21</sup> Missouri State Hazard Mitigation Plan, p. 3.106.

<sup>22</sup> Missouri State Hazard Mitigation Plan, p. 4.37.

Table 17: Missouri Severe Repetitive Loss (SRL) Summary

County	Number of SRL Properties	Total Paid Losses	Sum of Average Payments (All Communities)
Jefferson	43	\$7,797,381	\$126,433
St. Charles	44	\$7,789,418	\$ 97,433
St. Louis	13	\$2,827,961	\$136,872
Phelps	10	\$2,435,446	\$116,280
Holt	8	\$1,714,593	\$ 71,441
Franklin	7	\$1,434,802	\$103,022
Taney*	6	\$1,380,133	\$158,273
Cole	6	\$1,177,147	\$ 22,471
Gasconade	8	\$1,065,631	\$ 30,821
Pike	7	\$ 884,717	\$ 28,080
Lincoln	7	\$ 877,438	\$ 18,362
Newton*	5	\$ 789,957	\$ 94,945
St. Francois	1	\$ 539,485	\$ 33,718
Pulaski	3	\$ 430,859	\$ 35,905
Carter*	2	\$ 383,322	\$ 47,915
Cass	3	\$ 361,337	\$ 40,703
Clay	4	\$ 346,873	\$ 33,976
McDonald*	2	\$ 337,822	\$ 84,455
Cape Girardeau	3	\$ 259,295	\$ 36,779
Boone	1	\$ 219,131	\$ 21,913
Ste. Genevieve	2	\$ 181,751	\$ 30,625
Andrew	1	\$ 134,321	\$ 33,580
Christian	1	\$ 85,082	\$ 17,016
Butler	1	\$ 83,777	\$ 20,944
Maries	1	\$ 76,195	\$ 19,048
Jasper	1	\$ 65,904	\$ 16,476
Jackson	1	\$ 64,466	\$ 13,893
Osage	1	\$ 52,823	\$ 8,804
Warren	1	\$ 50,096	\$ 14,774

STATE MID  
HUD MID\*

Data from SEMA and Missouri State Hazard Mitigation Plan.

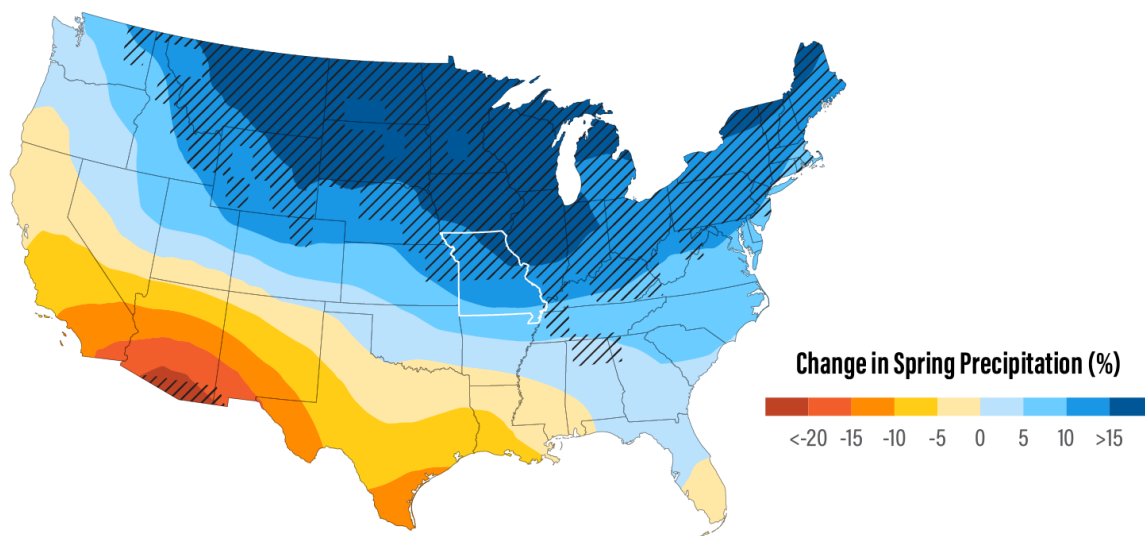
**Future Risk**

With the prospect of climate change and increase in global temperatures, the State of Missouri is likely to see an increase in the pattern and frequency of floods across the State. In an examination of whether the magnitude and/or frequency of flood events is

remaining constant or has been changing over recent decades, strong evidence points to an increasing frequency of flooding.<sup>23</sup>

The increased frequency of flooding results from projected changes in both seasonal rainfall and temperature across the State of Missouri. Over the last half century, average annual precipitation in most of the Midwest has increased by 5% to 10%.<sup>24</sup> Although projections of overall annual precipitation in Missouri are uncertain, winter and spring precipitation are projected to increase, while summer precipitation may decrease<sup>25</sup> (Figure 14, Projected Change in Spring Precipitation). This indicates growing seasonal risks of flooding in winter and spring, absent mitigation actions.

Figure 14: Change in Spring Precipitation



Projected change in spring precipitation (%) for the middle of the 21st century compared to the late 20th century under a higher emissions pathway. Hatching represents areas where the majority of climate models indicate a statistically significant change. Projected increases in spring precipitation are part of a large area of projected increases in the Northeast and Midwest. Source: CICS-NC, NOAA NCEI, and NEMAC.

Source: NOAA National Centers for Environmental Information, State Summaries: Missouri, <https://statesummaries.ncics.org/mo>

Furthermore, a study conducted by the World Meteorological Organization indicates that the Simple Daily Intensity Index (the total precipitation per year divided by the number of days with precipitation), on a U.S. area-averaged basis, shows an upward trend, and when precipitation does occur, it tends to be heavier.<sup>26</sup> Figure 15 depicts a daily intensity graph.

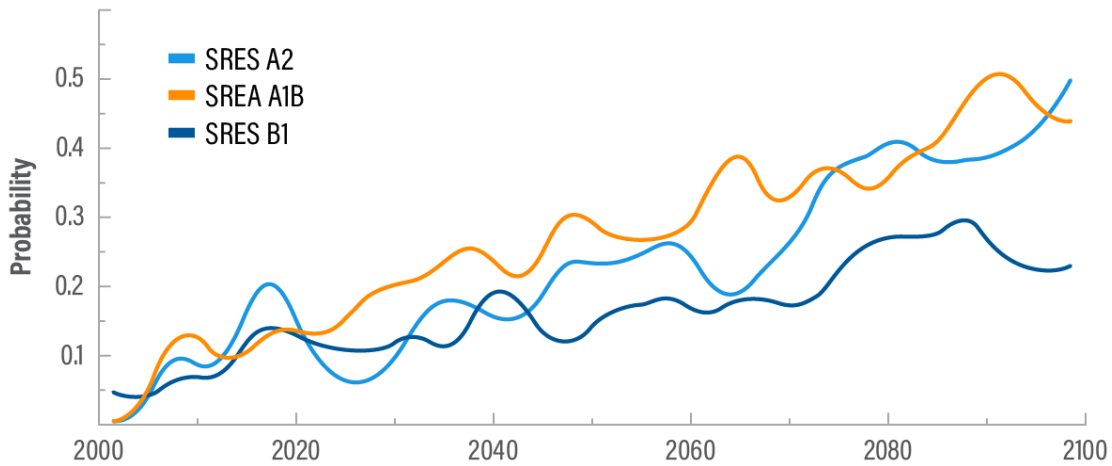
<sup>23</sup> Mallakpour, I., & G. Villarini. 2015. The changing nature of flooding across the central United States. *Nature Climate Change*, 5, 250–254. doi:10.1038/nclimate2516

<sup>24</sup> U.S. Environmental Protection Agency. What Climate Change Means for Missouri. <https://19january2017snapshot.epa.gov/sites/production/files/2016-09/documents/climate-change-mo.pdf>

<sup>25</sup> NOAA National Centers for Environmental Information. State Summaries 149-MO. [www.NCEI.NOAA.gov](http://www.NCEI.NOAA.gov), <https://statesummaries.ncics.org/chapter/mo/>; Lead Authors: Rebekah Frankson and Kenneth E. Kunkel. Contributors: Sarah Champion and Brooke C. Stewart.

<sup>26</sup> McGuirk, Marjorie, Scott Shuford, Thomas C. Peterson, & Paul Pisano. 2009. Weather and climate change implications for surface transportation in the USA. *WMO Bulletin*, 58(2), 85.

Figure 15: Daily Intensity of Precipitation Measured Using the Simple Daily Intensity Index



Source: Image from <https://public.wmo.int/en/bulletin/weather-and-climate-change-implications-surface-transportation-usa>

With the risk of increased severe rainfall events as noted above, Missouri’s SHMP has also conducted an analysis using FEMA’s HAZUS modeling software to estimate potential losses where flood losses could occur and the degree of severity using a consistent methodology. The purpose of this analysis is to quantify risk in known flood-hazard areas and estimate losses for areas where lesser streams and rivers exist and where the flood hazard may not have been previously studied,<sup>27</sup> but may occur due to climate change. The statewide analysis utilized Flood Insurance Rate Maps data, draft floodplain data, and HAZUS-generated floodplain data in conjunction with residential structures from U.S. Census data to estimate both the number of residential structures at risk of damage and the projected residential loss value expected during a 1% annual chance flood event. The results are mapped in Figure 16 and the top counties with loss are shown in Table 18.

<sup>27</sup> Missouri State Hazard Mitigation Plan, p. 3.109.

Figure 16: Projected Cost of Loss to Residential Structures Resulting from 1% Annual Flood

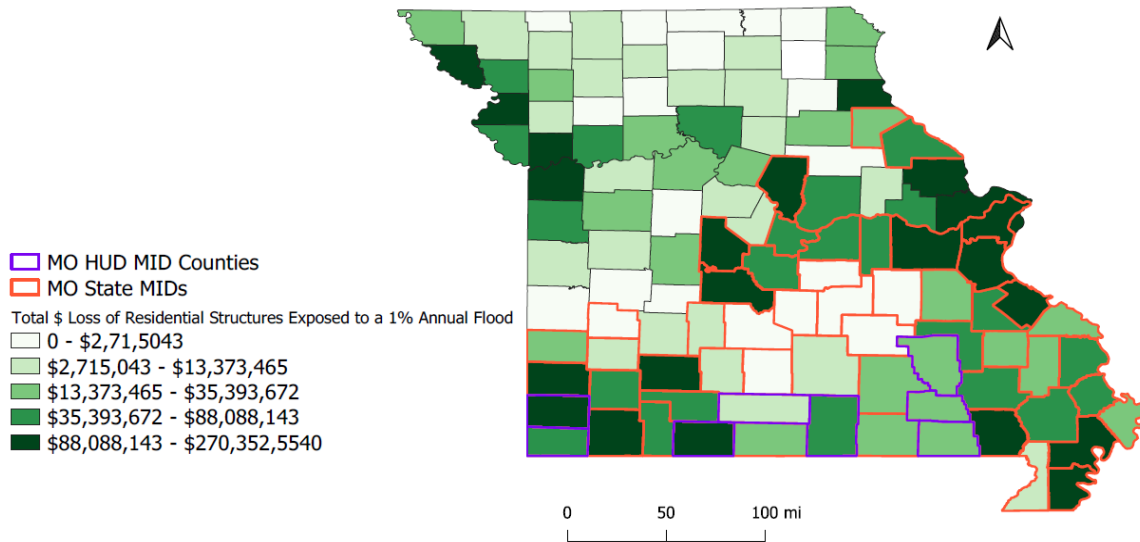


Table 18: Total Monetary Loss of Residential Structures Exposed to a 1% Annual Flood in MIDs

County	Total \$ Loss of Residential Structures Exposed to a 1% Annual Flood	STATE MID
Taney*	\$239,482,799	HUD MID*
Newton*	\$149,877,828	
Howell*	\$ 54,137,634	
Ripley*	\$ 33,092,545	
Reynolds*	\$ 30,722,780	
Carter*	\$ 22,852,496	
Douglas*	\$ 5,637,630	
St. Louis	\$2,703,525,540	
Jefferson	\$ 958,407,803	
Pemiscot	\$ 673,477,516	
Butler	\$ 584,733,857	
Franklin	\$ 297,298,075	
Camden	\$ 252,163,261	
New Madrid	\$ 219,784,761	
Boone	\$ 202,290,325	
Greene	\$ 130,296,313	
Madison	\$ 3,5844,502	



## Tornadoes

### Overview of Hazard

Tornadoes are narrow, violently rotating columns of air that extend from a thunderstorm cloud to the ground. Tornadoes are a vortex storm with two types of winds: rotational and uplift current. Winds can measure up to 500 miles per hour and the dynamic forces of these two wind types can cause dangerous vacuums that overpressure buildings from the inside. Destruction caused by a tornado is a result of these winds coupled with the powerful impacts of windblown debris. The tornado’s contact with the ground typically lasts 30 minutes and covers a distance of 15 miles. The width of a tornado is usually about 300 yards, but can be up to a mile wide.

Tornadoes are more common in the Midwest, where geography and meteorological conditions are favorable to their formation. During the spring and fall, the jet stream (prevailing wind stream in the United States that separates the dry northern air from the warm Gulf air) crosses Missouri, causing large thunderstorms that can lead to tornadoes. Tornadoes are very difficult to predict, meaning that impacted communities often have little warning before a tornado strikes. Coupled with their destructive power, these factors make them costly and deadly.

### Historical Impact Statewide

Missouri is affected by tornadoes every year. On average, 39–40 tornadoes hit the State each year, with approximately 6 deaths and 66 injuries. Since 1950, 2,650 tornadoes have been recorded in Missouri, with 394 deaths and 4,430 injuries. Since 1975, 25 Presidentially Declared Disasters have included tornado activity. According to the U.S. Department of Agriculture, insured crop losses from tornadoes in the past 10 years have totaled \$139,097.

Figure 17: Deaths in Missouri Due to Tornadoes, 1950–2019, by County

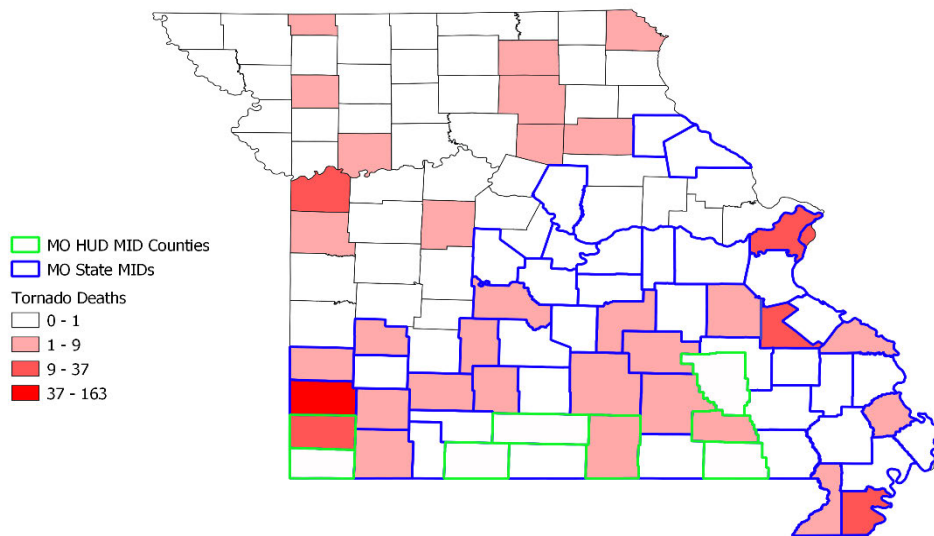


Table 19: Counties with > 1 Tornado Death, 1950–2019

County	Deaths
Jasper County	163
Jackson County	37
Pemiscot County	22
Newton County*	17
St. Louis County	15
St. Francois County	13
St. Louis City County	11
Lawrence County	9
Carter County*	7
Scott County	7
Barton County	5
Greene County	5
Washington County	5
Camden County	4
Cedar County	4
Randolph County	4
Barry County	3
Cass County	3
Dallas County	3
DeKalb County	3
Perry County	3
Pettis County	3
Adair County	2
Clark County	2
Dent County	2
Dunklin County	2
Howell County*	2
Macon County	2
Monroe County	2
Phelps County	2
Ray County	2
Texas County	2
Webster County	2
Worth County	2
Andrew County	1
Bollinger County	1
Butler County	1
Caldwell County	1
Callaway County	1
Cape Girardeau County	1
Christian County	1
Henry County	1
Johnson County	1
Lafayette County	1
Ripley County*	1
Stoddard County	1
Sullivan County	1

STATE MID  
HUD MID\*

Data Source: <https://www.ncdc.noaa.gov/stormevents/choosedates.jsp?statefips=29%2CMISSOURI>

Tornado deaths are a major cause of concern for the State of Missouri. In May 2011, a supercell thunderstorm produced an EF5 tornado over Joplin, which caused incredible devastation and resulted in 158 fatalities and more than 1,000 injuries in the Joplin area.<sup>28</sup> These types of deaths are preventable with proper mitigation measures, such as tornado safe rooms.

### Future Risk

While relatively rare overall, each tornado has the potential for catastrophic damage and loss of life in its path. In total, 66 county hazard mitigation plans rated the risk of tornados as high.

In addition, tornados may become more frequent due to climate change. Research from 2015 concluded that the number of days with large tornado outbreaks has been increasing since the 1950s, continuing to the present.<sup>29</sup>

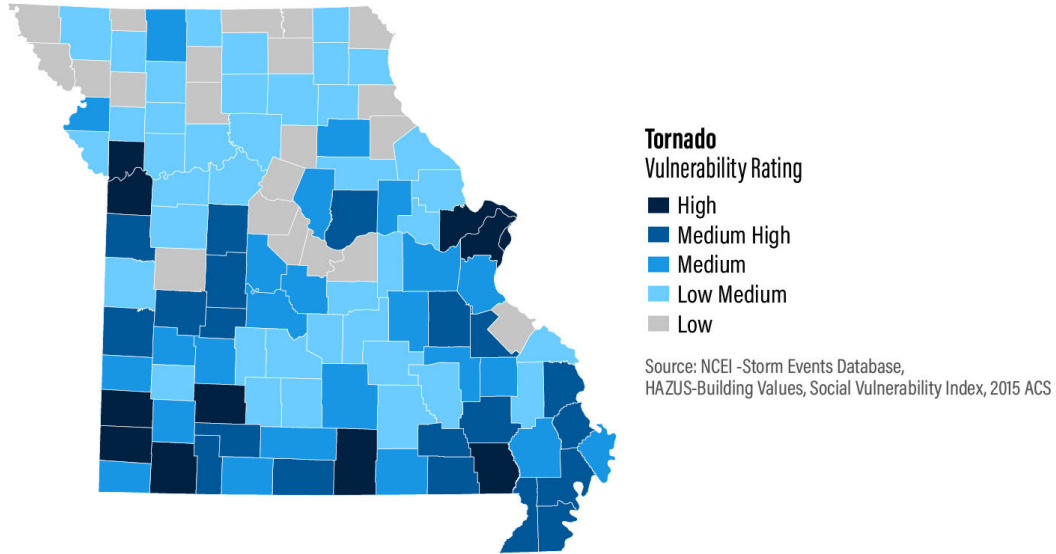
The State HMP conducted an analysis to determine the vulnerability to tornadoes across Missouri using data from the National Center for Environmental Information, HAZards U.S. (HAZUS®) Building Exposure Value data, Manufactured Housing Unity (MHU) data from the U.S. Census, and the Social Vulnerability Index. The analysis took into account housing density, building exposure, percentage of MHUs, social vulnerability, likelihood of occurrence, and past property loss. The combined vulnerability summary map for tornadoes is shown below. Several HUD and State MID counties are rated as “high” vulnerability, including St. Louis, Newton, Barry, Greene, Howell, and Butler.

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<sup>28</sup> Seventh anniversary of the Joplin tornado, May 22, 2011, from [https://www.weather.gov/sgf/news\\_events\\_2011may22](https://www.weather.gov/sgf/news_events_2011may22)

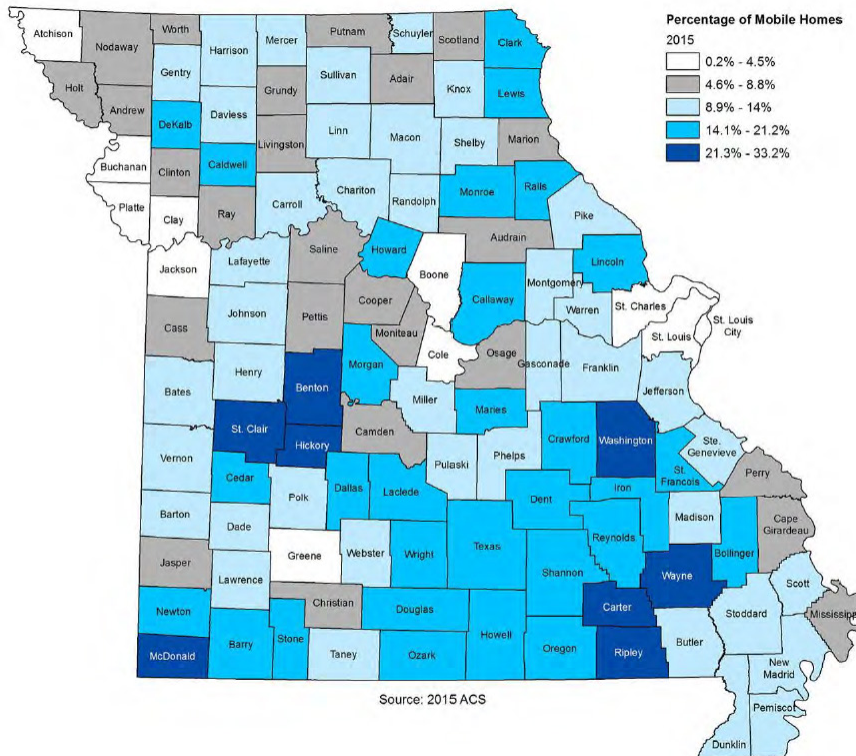
<sup>29</sup> State Hazard Mitigation Plan, p. 3-377.

Figure 18: Social Vulnerability for Tornadoes



One factor that was taken into account for this analysis on vulnerability to tornadoes is the percentage of MHUs in each county. It is notable that this percentage is high in several HUD and State MID counties, including Washington, Wayne, Carter, and Ripley.

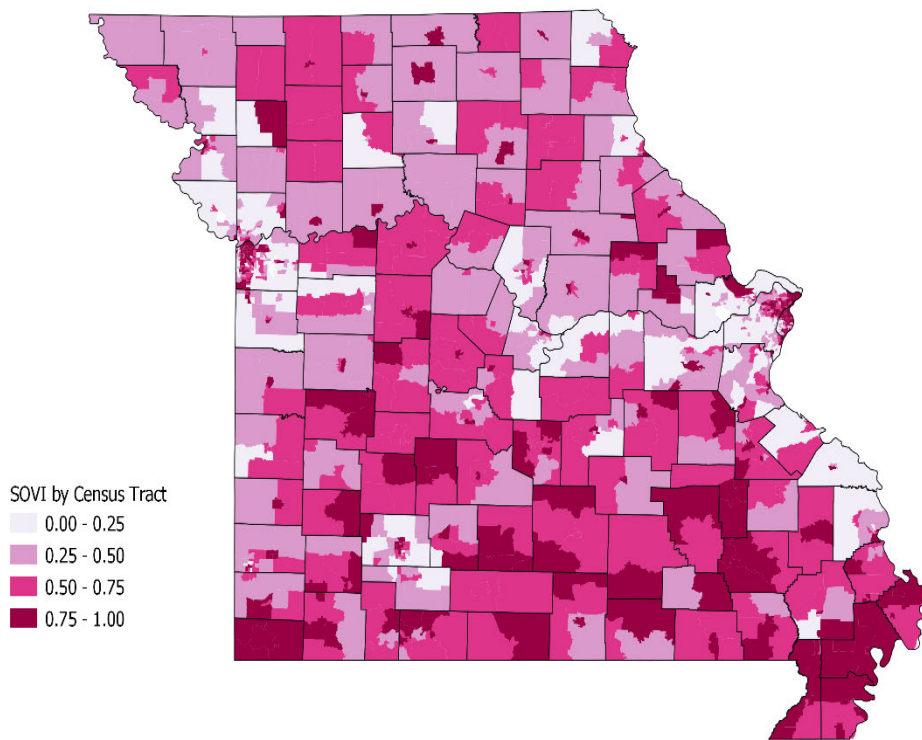
Figure 19: Percentage of Mobile Homes Affecting Vulnerability



### 4.6 Social Vulnerability

In addition to environmental risks, a community’s ability to respond to and recover from a disaster is also dependent on socioeconomic and demographic factors. The Centers for Disease Control and Prevention (CDC) developed the Social Vulnerability Index to quantify the aggregate toll of these factors based on statistics such as poverty rate, access to transportation, and crowding of homes. The index is based on four categories, which are then rolled up to a final score between 0-1, with 0 being less vulnerable and 1 being more vulnerable. The map below indicates that social vulnerability is higher in the urban areas of Missouri and in rural areas in the southern part of the State.

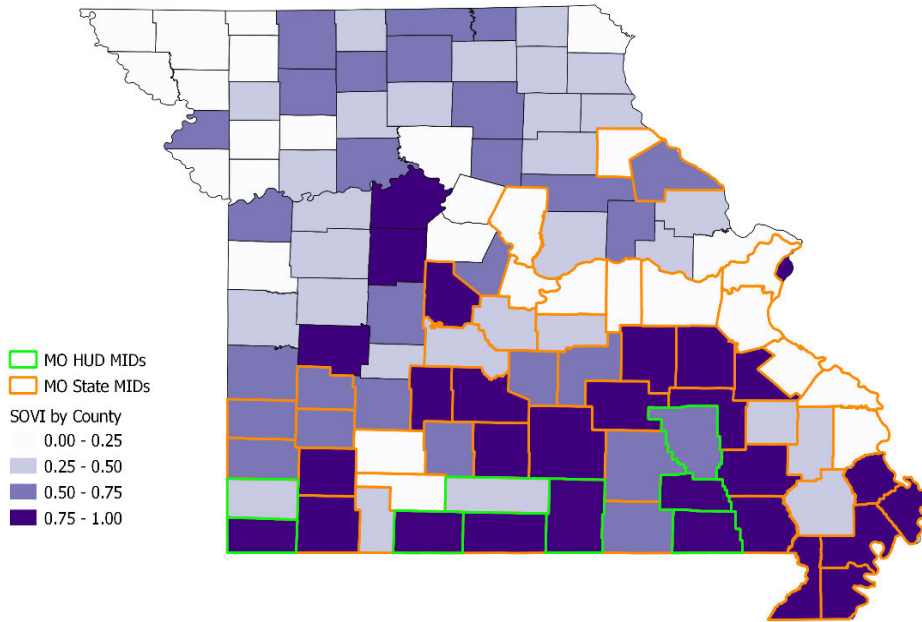
Figure 20: Missouri Social Vulnerability Index by Census Tract (2016)



Source: <https://svi.cdc.gov/>

If aggregated at the county level and compared with the HUD and State MIDs, it is notable that most of the counties in the highest vulnerability category are in the State or HUD MIDs.

Figure 21: Missouri Social Vulnerability Index (2016) by County, with HUD and State MIDs



Source: <https://svi.cdc.gov/>

Figure 22: LMI Percentage by Block Group

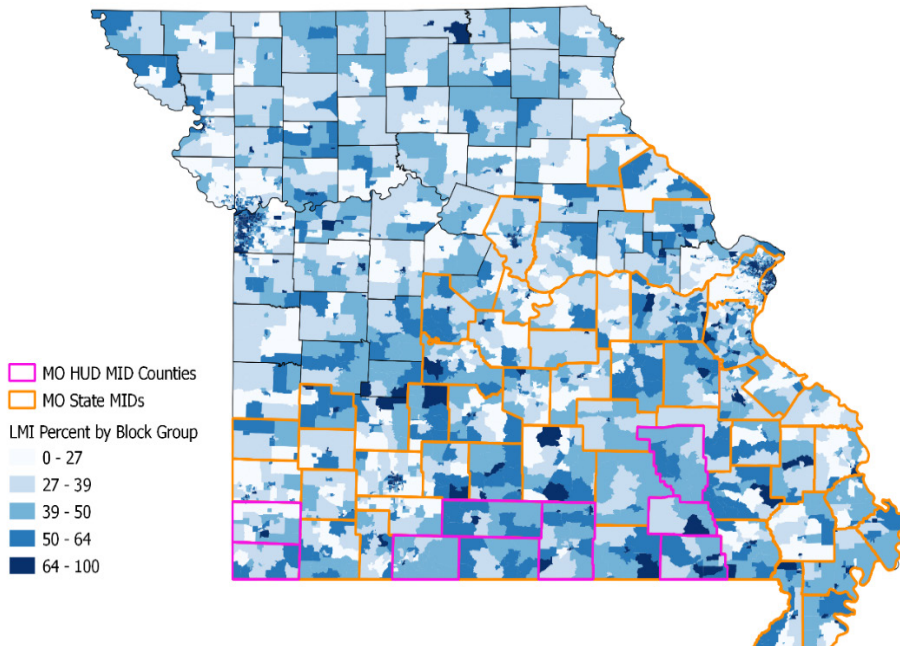




Table 20: LMI Percentage by County

Counties	LMI %	STATE MID	HUD MID*
Douglas County*	51.76%		
Ripley County*	50.74%		
Carter County*	46.55%		
Howell County*	46.13%		
Reynolds County*	45.96%		
Taney County*	43.49%		
McDonald County*	42.83%		
Newton County*	35.80%		
Mississippi County	57.79%		
Wright County	54.87%		
Pemiscot County	53.31%		
Dunklin County	52.57%		
Cedar County	49.85%		
Ozark County	49.28%		
Oregon County	49.26%		
Wayne County	48.66%		
New Madrid County	47.66%		
Franklin County	47.34%		
Washington County	46.99%		
Boone County	46.56%		
Morgan County	46.35%		
Barton County	46.34%		
Dent County	45.62%		
Crawford County	45.50%		
Webster County	45.26%		
Dallas County	44.82%		
Greene County	44.65%		
Butler County	44.38%		
Texas County	44.25%		
Iron County	44.19%		
Dade County	44.14%		
Madison County	43.21%		
Barry County	42.74%		
Scott County	42.11%		
Shannon County	42.11%		
Phelps County	42.09%		
Pike County	42.06%		
Jefferson County	41.89%		
Bollinger County	41.32%		
Maries County	41.20%		
Lawrence County	41.15%		
Miller County	40.47%		
Camden County	39.24%		
Jasper County	38.48%		
Stone County	38.25%		

Counties	LMI %
St. Louis County	37.85%
Cole County	37.34%
Pulaski County	37.24%
Cape Girardeau County	36.92%
Gasconade County	36.87%
Osage County	36.60%
Ste. Genevieve County	36.28%
Perry County	36.02%
Christian County	34.48%
Ralls County	34.25%

### 4.7 Community Lifelines

FEMA’s National Response Framework defines community lifelines as those services that enable the continuous operation of critical government and business functions, and are essential to human health and safety or economic security.<sup>30</sup> Lifelines are the integrated network of assets, services, and capabilities that are used daily to support the recurring needs of the community.<sup>31</sup> The seven community lifelines are defined as:

1. Safety and Security
2. Communications
3. Food, Water, and Shelter
4. Transportation
5. Health and Medical
6. Hazardous Materials (Management)
7. Energy (Power and Fuel)



Image from the FEMA Community Lifelines Toolkit 2.0

Stabilization of community lifelines in the wake of disasters is essential for communities to be able to not only respond to disasters in the immediate aftermath, but also restore a

<sup>30</sup> FEMA. 2019, October 28. National Response Framework, Fourth Edition. p. ii. Retrieved from [https://www.fema.gov/media-library-data/158282590194-2f000855d442fc3c9f18547d1468990d/NRF\\_FINALApproved\\_508\\_2011028v1040.pdf](https://www.fema.gov/media-library-data/158282590194-2f000855d442fc3c9f18547d1468990d/NRF_FINALApproved_508_2011028v1040.pdf)

<sup>31</sup> FEMA. 2019, November. Community Lifelines Implementation Toolkit, Version 2.0. Retrieved from <https://www.fema.gov/media-library-data/1576770152678-87196e4c3d091f0319da967cf47ffd9c/CommunityLifelinesToolkit2.ov2.pdf>

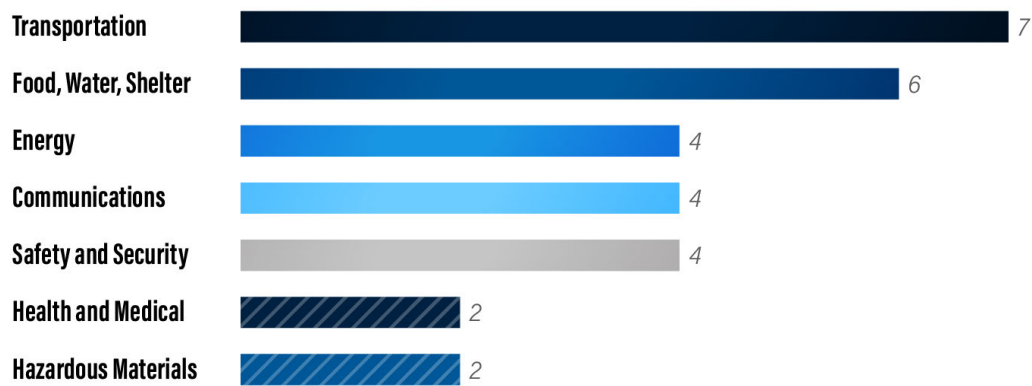


sense of normalcy once the disaster has passed. Mitigation activities, which ensure that these critical areas are made more resilient and are able to reliably function during future disasters, can reduce the risk of loss of life, injury, and property damage, and accelerate recovery following a disaster.<sup>32</sup>

In December 2019, MO DED sent a survey to each of the State’s RPCs/COGs to gain information about the impacts on the seven critical community lifeline areas that were impacted in each of the planning commission counties during the DR-4317 disaster events.

Regarding the impacts on community lifelines during the 2017 events, the RPCs/COGs with State/HUD MID counties reported that Transportation was the most frequently selected, followed by Food, Water, and Shelter. About half of the respondents selected Energy, Communications, and Safety and Security lifelines. RPCs/COGs without MID counties had similar responses, although none selected Hazardous Materials. The results are depicted below.

**Figure 23: Results from 2019/2020 Missouri Council of Governments Survey (Appendix 1) on the Effects of the 2017 Floods on Community Lifelines for RPCs/COGs With State/HUD MID Counties**



As part of the requirements set forth in the FRN (84 FR 45838), this section quantitatively assesses the significant potential impacts and risks of hazards affecting the seven FEMA-defined critical service areas, or community lifelines.

<sup>32</sup> 45838 Federal Register, Vol. 84, No. 169, Notices, August 30, 2019.

## Safety and Security

The Safety and Security lifeline is composed of services that protect the community. The components include law enforcement and security, fire services, search and rescue, government services, and community safety. Disasters of any kind can greatly impact safety and security by limiting the capabilities of response activities, such as impacting emergency operations and the delivery of medical care, or impeding the ability to rescue those in life-threatening situations.

During the floods of DR-4317, the Governor of Missouri deployed the State Highway Patrol, Missouri National Guard, Missouri Task Force 1, and water rescue teams on land, water, and in the sky to protect Missouri, which resulted in 164 documented rescues and 128 documented evacuations.<sup>33</sup> Ensuring that this capacity is readily available will ensure that response times do not suffer, and communities can be properly secured during times of disaster.

Flooding can pose a great threat to the delivery of services offered by a community's critical facilities, especially when critical service facilities are located in areas of frequent impact, such as Special Flood Hazard Areas. In February 2019, flash flooding from two creeks in Van Buren flooded the Van Buren Fire Station with at least 10 inches of water, which caused damage to the building and equipment inside.<sup>34</sup> During the 2017 floods in the Bootheel region, emergency responders were called for rescues and evacuations due to flooded roads. When roads were closed, the response times of emergency responders increased. Potosi Fire Station was cut off and/or flooded, which resulted in equipment being relocated. The South Central Ozark region also reported that rescue services/capacities were maximized where flooding occurred.<sup>35</sup>

Missouri has several fire departments that are located in a FEMA Special Flood Hazard Area.

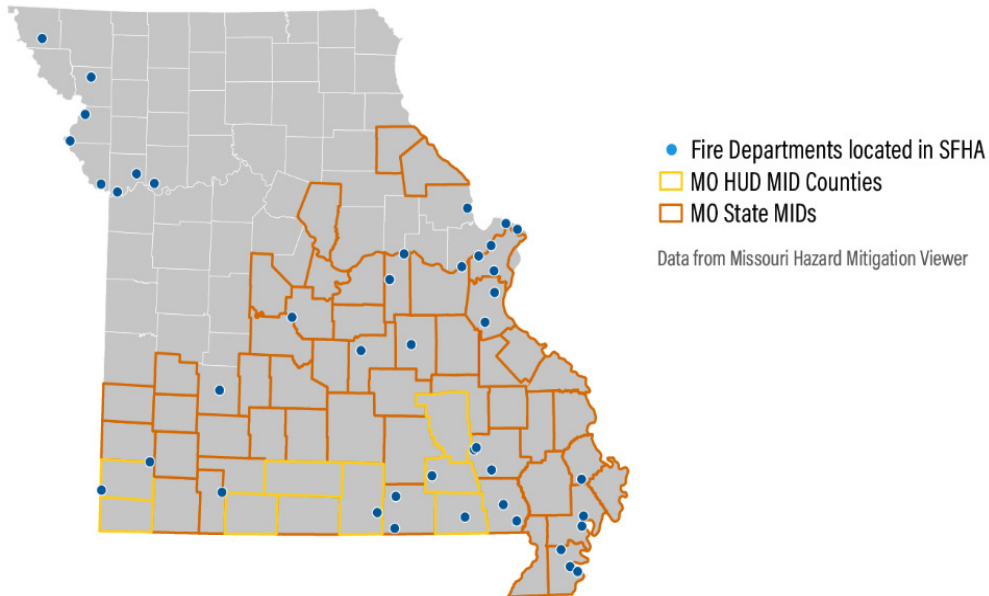
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<sup>33</sup> KY3. Early estimate: Flood damage across Missouri will cost \$86 million. From <https://www.ky3.com/content/news/flooding-costs-missouri-424447713.html>

<sup>34</sup> KFVS 12. Fire crews rescue couple during flash flooding; fire station floods too. From <https://www.kfvs12.com/2019/02/07/fire-crews-rescue-couple-during-flash-flooding-fire-station-floods-too/>

<sup>35</sup> 2019/2020 Missouri Council of Governments Survey Responses.

Figure 24: Fire Departments Located in a Special Flood Hazard Area



Mitigation measures, such as resilient building construction, ensure that critical facilities located in areas that are susceptible to damage from disasters can withstand impacts and are able to respond to the community's needs during a disaster.

### Communications

The Communications lifeline is composed of communications infrastructure, responder communications, alerts, warnings and messaging, financial systems, and emergency dispatch. During times of disaster, communications are essential for relaying information and coordinating emergency response, which are critical for saving lives.

During December 2006 through January 2007, ice storms and a lack of connectivity and communication left State and local government and thousands of citizens without power for weeks. This led to the State establishing a coordinated conference call system for State and local emergency managers, along with the National Weather Service, so that every agency can be briefed by the National Weather Service on what to expect, and organizations can discuss their needs and the status of resources. From these conferences, a "situation report" is then published on SEMA's website, which compiles the conference call and subsequent efforts to find the resources needed and requested, and proves to be an invaluable way in which to communicate.<sup>36</sup> Planning efforts and funding should ensure that the community is continually made aware of these public notices to better equip disaster preparedness and response.

<sup>36</sup> <https://www.govtech.com/public-safety/Coordinated-Communications-Eases-Impact-of-Midwest.html>

In 2011, a deadly EF5 tornado with winds of more than 200 mi/h took 161 lives in Joplin, MO. The catastrophic event prompted a wave of initiatives throughout the State to reduce the risk to lives and damage to property in the path of another disaster, one of which was the evaluation and replacement of emergency sirens.<sup>37</sup> Then, in May 2019, a tornado cut a devastating path along Jefferson City and damaged residential structures, buildings, and downed power lines. Residents were given relatively short notice due to competing emergency efforts related to flooding and thunderstorms, combined with the typically short warning period that tornados present. However, in the following days, there were no confirmed deaths, which the State attributed to the effective warning communications, including the use of the sirens (one before the tornado arrived in Jefferson City and another as it touched the ground).<sup>38</sup> This increased mitigation and resiliency to communication lifelines shows the importance of communication during disaster events as a means to prevent loss of life and ensure that residents are able to be informed and respond in a timely manner.

### Food, Water, and Shelter

The Food, Water, and Shelter lifeline is comprised of food supply chains, water and utilities (waste and drinking), housing, shelters, agriculture, and livestock. These are not only fundamental operations for daily life, but critical to preventing loss of life in the wake of a disaster. Disaster events can put a significant strain on the ability to maintain the supply chain of food, potable water, and shelter to residents. Without proper mitigation measures, this strain will feasibly increase as projected flood risk increases with the prospect of climate change.

### Food

Nearly all of Missouri's agricultural land is susceptible to flooding and has already been affected by 2019's heavy precipitation. The agricultural impacts of this wet weather have been numerous, including poor corn stands, nitrogen fertilizer loss, poor weed control, and delayed soybean planting.<sup>39</sup> This becomes problematic for long-term recovery with regard to crop management and food stabilization after disaster events.

In addition, disaster events can impact communities' emergency food supply at the local level. In the 2017 floods in the Bootheel region, foodbanks were depleted in the flooded area. In one county in the Ozark Foothills region, the only grocery store in the entire county was flooded, making the purchase of food and clean drinking water difficult at best.<sup>40</sup>

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<sup>37</sup> New Sirens Save Lives During 2019 Missouri Tornado <https://www.fema.gov/news-release/20200220/new-sirens-save-lives-during-2019-missouri-tornado>

<sup>38</sup> <https://www.kansascity.com/news/state/missouri/article230738659.html>

<sup>39</sup> <https://extension2.missouri.edu/programs/flood-resources/crops-and-soils-flood-resources>

<sup>40</sup> 2019/2020 Missouri Council of Governments Survey

## Water

Disaster events can impact the ability to provide clean, running water. Flood events bring excessive levels of turbidity and fine particles in the water, which can carry bacteria, viruses, and parasites that cause illness. Many municipal drinking water and wastewater facilities that serve Missouri communities along the Missouri and Mississippi rivers and their tributaries are affected by flooding events.<sup>41</sup> Record flooding along the Missouri River in March 2019 impaired treatment of drinking supplies in Kansas City. This was due to broken pumps at wastewater treatment plants located upstream that were submerged by floodwater.<sup>42</sup> During the floods of 2017, the Southwest Missouri COG reported wastewater treatment plants, lift stations, and well pumps were threatened or flooded. Well/pump housing providing potable water to Fort Leonard Wood was under water and the fort was only hours away from being without water.<sup>43</sup> Utilizing mitigation funds to increase the resilience of infrastructure systems related to water supply would ensure the continued ability to supply clean water to Missouri's residents.

## Shelter

Disaster events impact residential shelter by destroying homes and also can put a strain on dedicated storm shelters. The Joplin tornado in May 2011 damaged 553 business structures and nearly 7,500 residential structures, with more than 3,000 of those residences heavily damaged or totally destroyed.<sup>44</sup> Joplin school storm shelters took in 1,500 to 1,700 occupants when the tornado struck.<sup>45</sup>

## Transportation

The Transportation lifeline refers to the highways, roadways, bridges, and infrastructure that make transit possible on land, water, and in the air. This includes mass transit such as buses and ferries, railway (freight or passenger), aviation (commercial and military), and maritime (waterways and ports). Transportation systems in Missouri provide critical lifeline services and are highly important for response and recovery operations before, during, and after disaster events. Transportation networks are critical in their relation to the other critical service areas listed here. For example, in order to provide food or medical supplies when they are critically needed, transportation networks such as roadways need to be passable. Likewise, disrupted transportation networks can block public access to essential services, including hospitals, and support from the fire

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<sup>41</sup> <https://dnr.mo.gov/pubs/pub2753.htm>

<sup>42</sup> Dillion, Karen. Flooding impairs drinking water treatment for Kansas City, Missouri. <https://www.reuters.com/article/us-usa-weather/flooding-impairs-drinking-water-treatment-for-kansas-city-missouri-idUSKCN1R4oND>

<sup>43</sup> 2019/2020 Missouri Council of Government Survey Response.

<sup>44</sup> <https://www.nist.gov/el/disaster-resilience/joplin-missouri-tornado-2011>

<sup>45</sup> FEMA. Missouri Schools Build Safe Rooms for Shelter from Tornadoes. <https://www.fema.gov/node/454613>

department and police. In Missouri, flooding, tornadoes, and severe thunderstorms often damage transportation infrastructure and impede the services that utilize them.

For example, flash flooding along the Meramec River damaged structures, roads, and bridges.<sup>46</sup> During the 2017 floods, 10 of 11 RPCs/COGs surveyed reported that transportation was adversely affected. For example, Cedar County experienced road closures and incurred thousands of dollars in damage to county gravel roads due to the roads being washed out. Major roads were also closed in Phelps, Maries, and Gasconade counties. All bridges across the Gasconade River in the Meramec region were closed at some point; all counties had local roads and bridges that were damaged and closed.<sup>47</sup> These impacts have both near-term consequences for urgently needed relief and recovery services, and long-term repercussions for local economies and community life.

The condition of transportation infrastructure is a critical factor in assessing risk. Roads and bridges that are in good repair withstand flooding and severe weather to a greater degree than infrastructure that has deteriorated. The State's multimodal transportation network is essential for both passenger and freight movement, and loss of connectivity in goods movement can have cascading impacts on local and regional communities. Infrastructure that is sited and constructed with future severe weather conditions in mind can help avoid future disruptions and reduce the future costs of repairs.

The 2018 Missouri Department of Transportation (MoDOT) Long-Term Plan Update<sup>48</sup> reported that "The number of poor condition bridges increased from 817 in 2012 to 883 in 2016." The MoDOT Transportation Asset Management Plan (TAMP) documents the condition of roads and bridges to help identify needs and prioritize investments. The recently published 2019 MoDOT TAMP reports that the State is "steadily losing ground on our number of poor bridges with the count over 900" and notes that Missouri has more than 1,200 structures with a weight restriction.<sup>49</sup> This Action Plan will align with MoDOT's strategic priorities as it continues to invest in repairs and new construction.

## Health and Medical

The Health and Medical lifeline includes medical care, patient movement, facility management, public health, and the medical supply chain, all complex systems that can be affected by disasters. Severe thunderstorms or tornadoes can cause power outages that impact hospitals and other medical facilities, underscoring the need for backup generation capabilities to preserve essential function. Flooding can also directly impact medical

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<sup>46</sup> Winston, W.E., & R.E. Criss. 2003. Flash Flooding in the Meramec Basin, May 2000. In *At the Confluence: Rivers, Floods, and Water Quality in the St. Louis Region*, R.E. Criss & D.A. Wilson, Eds. St. Louis, MO: Missouri Botanical Garden Press.

<sup>47</sup> 2019/2020 Missouri Council of Government Survey Response.

<sup>48</sup> Missouri Department of Transportation. 2019. 2018 Long-Range Transportation Plan Update: Technical Memorandums.

<sup>49</sup> Missouri Department of Transportation. 2019, August. MoDOT's National Highway System Transportation Asset Management Plan.



facilities or transportation to those facilities. In the Ozark Foothills region during the floods of 2017, patients could not travel to medical appointments and some doctors' offices were closed.<sup>50</sup> The map below shows 10 essential medical facilities that are especially vulnerable to flood loss as they are located within the Special Flood Hazard Area, nearly all of which are in State or HUD MID counties.

Figure 25: Essential Facilities in the Special Flood Hazard Area

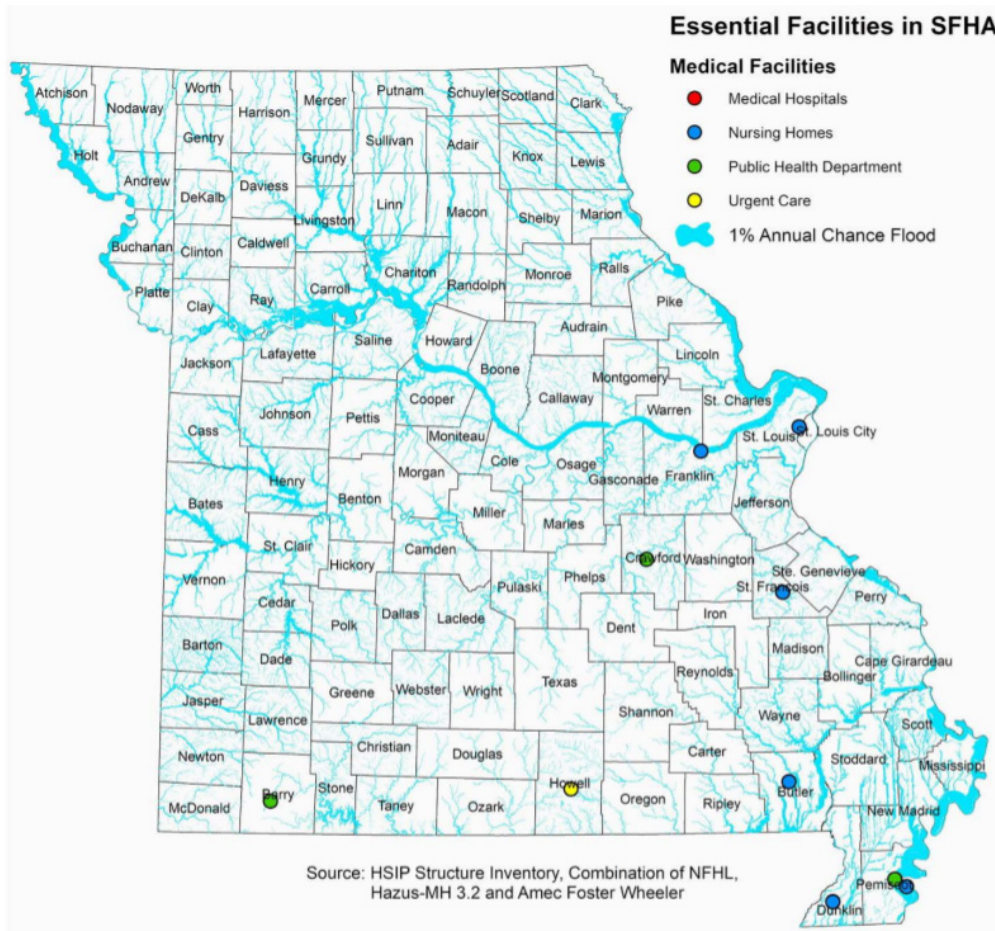


Image from Missouri State Hazard Mitigation Plan, p. 7.107. Retrieved from [https://sema.dps.mo.gov/docs/programs/LRMF/mitigation/MO\\_Hazard\\_Mitigation\\_Plan2018.pdf](https://sema.dps.mo.gov/docs/programs/LRMF/mitigation/MO_Hazard_Mitigation_Plan2018.pdf)

### Hazardous Materials (Management)

Floodwaters in Missouri often have the potential to interact with hazardous materials. This has prompted the evacuation of many citizens near such materials stored in large containers that could break loose or puncture as a result of flood activity.<sup>51</sup>

<sup>50</sup> 2019/2020 Missouri Council of Government Survey Response.

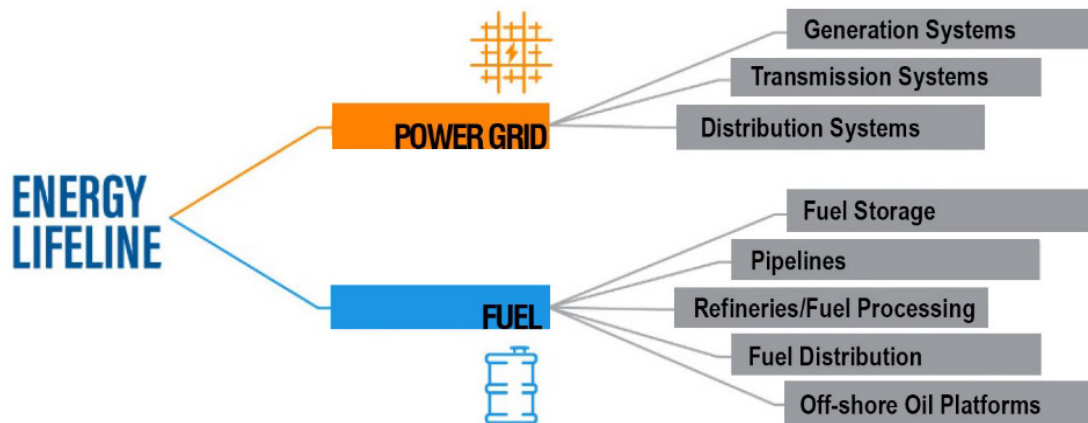
<sup>51</sup> Missouri State Hazard Mitigation Plan, p. 3.121.

The Union Pacific route between St. Louis and Kansas City, and the Norfolk Southern route from Hannibal to Kansas City are both used for large radioactive material shipments.<sup>52</sup>

**Energy (Power and Fuel)**

The Energy lifeline is perhaps one of the most critical as it includes the power grid and its critical facilities, including fuel supply lines.

Figure 26: Energy Lifeline



Damage to power infrastructure often results in loss of power supply, which can cause loss of life or greatly impede other critical service areas such as communications. Examples of events over the past two decades illustrate the hazard.

In January 2002, a major ice and snowstorm blasted much of northwest, northern, and central Missouri and caused, at one point, 409,504 total customers to be without electrical power, with some residents without power for up to 2 weeks.<sup>53</sup>

In January 2007, a major ice storm in southwest Missouri, including the Springfield metropolitan area, caused power outages which occurred over more than 3 weeks in many areas.<sup>54</sup>

In May 2011, an EF5 tornado with wind speeds in excess of 200 mi/h caused major damage or complete destruction across Joplin, MO. Energy infrastructure such as the Cummins generator building, electric power company substation, and major cell and power transmission towers were damaged as a result of this storm.<sup>55</sup>

<sup>52</sup> Missouri State Hazard Mitigation Plan, p. 3.468.  
<sup>53</sup> Missouri State Hazard Mitigation Plan, p. 3.323.  
<sup>54</sup> Ibid.  
<sup>55</sup> [https://www.weather.gov/sgf/news\\_events\\_2011may22](https://www.weather.gov/sgf/news_events_2011may22)



During the floods of 2017, levee districts in the Bootheel region were forced to run pumps more frequently than normal, which drove up fuel costs.<sup>56</sup> Also, in the South Central Ozark region, power lines were down in areas of high straight-line winds and thunderstorms, and substations were submerged underwater.

Power outages also create an increased risk of fire, as home occupants use alternative fuel sources (e.g., wood, kerosene) for heat and fuel-burning lanterns or candles for emergency lighting.<sup>57</sup>

Severe weather events have impacted both the generation and transmission of power. Under future climate conditions, the scale and frequency of these impacts may increase. In addition, increasing temperatures can reduce generation capacity by reducing the efficiency of thermal generation and increasing fuel needs.<sup>58</sup>

Increasing periods of extreme heat can also be expected to increase the demand for electricity, placing more stress on the grid and exacerbating energy requirements in the region. Loss of air conditioning capacity can be life-threatening for vulnerable populations, impacting hospitals and other health facilities. This underscores the critical importance of reliable energy service to the health and safety of communities.

#### 4.8 Risk Assessment Conclusion

The State of Missouri has taken a data-driven approach to determining the highest risks to its residents and businesses. While the State and the 2018 SHMP outline all risks impacting the State, based on the data findings in the Mitigation Needs Assessment, the risks that have most historically impacted the State and pose significant potential future risks are the following:

1. Thunderstorms
2. Flooding (riverine and flash)
3. Tornadoes

While each risk identified in the 2018 SHMP has the potential to cause significant loss of life and property, the risks identified above are those where CDBG-MIT funds would have the most impact in minimizing future losses. The findings presented in this mitigation needs assessment highlight the need for solutions that make infrastructure, property, and subsequently the community more resilient to future extreme events.

In addition to assessing the hazards identified in the 2018 SHMP and county's hazard mitigation plans, MO DED sent surveys to all RPCs in the Missouri Council of

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<sup>56</sup> 2019/2020 Missouri Council of Government Survey Response.

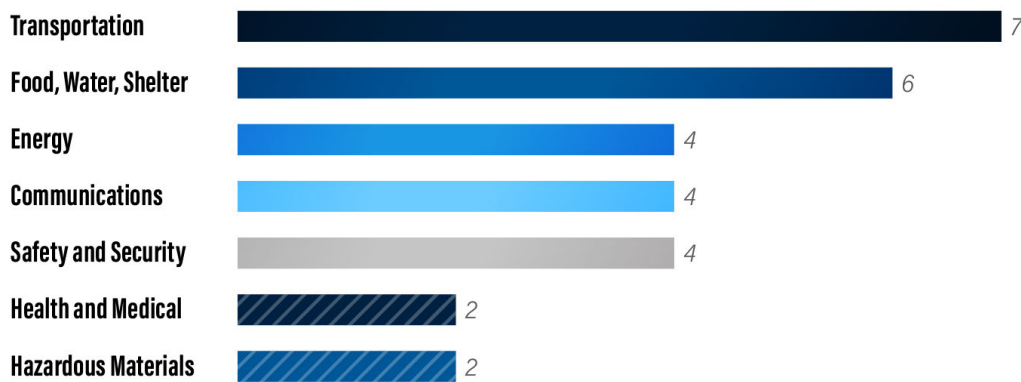
<sup>57</sup> Missouri State Hazard Mitigation Plan, p. 3.321.

<sup>58</sup> U.S. Department of Energy, Office of Energy Policy and Systems Analysis. Climate Change and the U.S. Energy Sector: Regional Vulnerabilities and Resilience Solutions. October 2015.

Governments and businesses in December 2019 to obtain further data on how these hazards impact the seven critical community lifelines during the 2017 disaster events.

Regarding the impacts on community lifelines during the 2017 events, the RPCs/COGs with State/HUD MID counties and businesses reported that Transportation was most highly impacted, followed by Food, Water, and Shelter. About half of respondents selected Energy, Communications, and Safety and Security lifelines. The results are depicted below from the RPCs/COGs survey.

**Figure 27: Results from 2019/2020 Missouri Council of Governments Survey (Appendix 1) on Effects of the 2017 Floods on Community Lifelines for RPCs/COGs with State/HUD MID Counties**



Based on the analysis of the Risk-Based Mitigation Needs Assessment and reported impacts on the seven critical community lifelines from local communities, the State of Missouri has determined that the following activities will be implemented to advance long-term resiliency for future disasters in the HUD and State MIDs resulting from the 2017 disasters. These programs align with other planned capital improvements and promote community-level and regional planning. The CDBG-MIT activities will build on planning investments made with the CDBG-DR funds previously allocated for regional planning after the 2017 disaster.



Missouri Department of  
**Economic Development**

## **SECTION 5**

# **CDBG-MIT PROGRAM DESIGN**

**ACTION PLAN** FOR STATE OF MISSOURI

COMMUNITY DEVELOPMENT  
BLOCK GRANT MITIGATION (CDBG-MIT)

## 5. CDBG-MIT Program Design

The State of Missouri has looked to the eligible activities that can be funded with the CDBG-MIT funds and aligned their program design to address the highest four hazards for the HUD and State MIDs. The CDBG-MIT program activities include the following:

1. **Mitigation Planning and Capacity Building:** Promote planning to increase resiliency through updating local hazard mitigation plans, codes, and land use regulations to encourage wind engineering measures and construction techniques, and provide staffing for planning and management capacity to local governments to implement their mitigation activities. Given the success of the use of CDBG and CDBG-DR funds for planning purposes, the CDBG-MIT program will allow for planning costs to be included to further develop both pre- and post-disaster plans for the communities identified in the most impacted and distressed areas (five ZIP code areas), as well as the State's most impacted and distressed areas under DR-4317. The plans will be required to take into consideration and complement the existing local hazard mitigation plans, the THIRA (Threat and Hazard Identification and Risk Assessment), the emergency management plan and local land use, and comprehensive and strategic plans. CDBG-MIT funds will be used to develop and enforce building codes and standards, including codes for flood hazards and wildland urban interface. The American Society of Civil Engineers has established standards for flood-resistant design and construction (ASCE-24) and facility hardening (ASCE-7), which should be referenced (when feasible) in updated building codes. Other mitigation planning should establish standards for vertical flood elevation protection which ensures that structures are elevated to at least 2 feet above base flood elevation, and revise land use and zoning policies to ensure that new structures are not built in high-risk areas.
2. **General Infrastructure:** Increase resiliency and mitigate for future flooding by designing and implementing updated roads, bridges, culverts, and so forth. CDBG-MIT funds will allow local communities to fund previously identified infrastructure mitigation needs and/or identify infrastructure mitigation needs that will reduce or eliminate damages and loss of life and property. Eligible projects will ensure that engineering designs include features that mitigate weaknesses that contributed to the previous infrastructure failure. Infrastructure mitigation projects are encouraged to include nature-based solutions and natural or green infrastructure, which is integration of natural processes or systems (such as wetlands or land barriers) or engineered systems that mimic natural systems and processes in investments in resilient infrastructure, including, for example, using permeable pavements and amended soils to improve infiltration and pollutant removal.
3. **Public Facility Hardening:** Increase resiliency and mitigation for future impacts from disasters for public facilities, public shelters, and all critical public facilities (e.g., potable water facilities, wastewater treatment facilities). CDBG-MIT funds will allow

local communities to fund previously identified public facility mitigation needs and/or identify public facility mitigation needs that will harden the facility and reduce or eliminate damages and loss of life and property. Examples of specific projects include adding safe rooms to public buildings, increasing wind resistance to protect against tornadoes, and elevating a critical facility out of a flood zone. Eligible projects will ensure that engineering designs include features that mitigate against current and future disasters.

4. **Critical Facility Generators:** Increase resiliency for critical public facilities, such as fire and police stations, shelters, hospitals, and so forth. The CDBG-MIT funds will allow local communities to identify the critical facilities necessary to support community lifelines and install generators that will assist with reducing damages and loss of life. The generators will be permanent fixtures integrated into the broader systems to ensure continuity of services. Portable generators will not be eligible.
5. **Warning Systems:** Increase resiliency and safety from future severe weather by installing warning systems in vulnerable communities. The CDBG-MIT funds will allow local communities to identify areas of vulnerable populations and install the warning systems necessary to assist with reducing damages and loss of life. Warning systems can include text alerts and other means of reaching the community to notify residents about hazardous conditions.

## 5.1 Program/Projects Description

The State of Missouri has determined that all proposed mitigation activities are informed based on the Risk-Based Needs Assessment and meet the HUD requirements for mitigation activities, including the following:

1. Meets the definition of a mitigation activity by increasing resilience to disasters and will reduce or eliminate the long-term risks of loss of life, injury, damage to and loss of property, and suffering and hardship by lessening the impact of future disasters.
2. Each proposed mitigation activity addresses the current and future risks identified in the Risk-Based Needs Assessment discussed in Chapter 4 of this Action Plan.
3. Are CDBG-eligible activities under Title I of the Housing and Community Development Act of 1974 (HCDA), or otherwise eligible pursuant to a waiver or alternative requirement.
4. Meets a national objective, including additional criteria for mitigation activities and covered projects.

Table 21: CDBG-MIT Mitigation Activities Alignment with Risk-Based Needs Assessment

Mitigation Activity	1. Meets Mitigation Definition	2. Potential Risks Addressed	3. How Current and Future Risks Are Addressed	4. CDBG-Eligible Activity	5. National Objective
<b>MITIGATION PLANNING:</b> Plans to upgrade building codes or regional land use plans, local HMP, feasibility plan, and so forth to mitigate floods, severe storms, and tornadoes. Identify the need for safe rooms or other community mitigation needs	Creates resiliency by requiring elevation and other mitigation against future floods and severe storms to reduce or eliminate damage and loss of life and property	Floods, Severe Storms, Tornadoes	Develop plans to address flooding, severe storms, and tornadoes. Create resiliency by requiring building and land use codes to mitigate against severe storms and tornadoes.	Planning  HCDA – 105(a)(12)(A)	<b>Planning and Administration:</b> 24 CFR 570.483(f) or 24 CFR 570.483(b)(5) [if plan benefits 51% or more LMI]
<b>CAPACITY GRANTS:</b> Additional staffing capacity to support subrecipients’ implementation of their mitigation activity.	Provide subrecipients with the capacity to carry out management, coordination, and monitoring of the mitigation activities necessary for effective planning and implementation.	Floods, Severe Storms, Tornadoes	Additional staff capacity ensures that the CDBG-MIT-funded activities are implemented, and resiliency is increased in the community.	Capacity Building  HCDA – 105(a)(12)(B)	<b>Planning and Administration:</b> 24 CFR 570.483(f)
<b>MO DED PLANNING:</b> Allows MO DED to develop risk assessments, action plans, and action plan amendments for the CDBG-MIT funds.	CDBG-MIT funds cannot be expended until the State completes a HUD-approved risk assessment and CDBG-MIT action plan.	Floods, Severe Storms, Tornadoes, Earthquakes	CDBG-MIT action plan includes the State’s Risk-Based Needs Assessment and programs and funding designed to address those risks.	Planning  HCDA – 105(a)(12)(A)	<b>Planning and Administration:</b> 24 CFR 570.483(f)

Mitigation Activity	1. Meets Mitigation Definition	2. Potential Risks Addressed	3. How Current and Future Risks Are Addressed	4. CDBG-Eligible Activity	5. National Objective
<p><b>GENERAL INFRASTRUCTURE:</b> Increase resiliency for bridges, roads, drainage, natural or green infrastructure, sustainable infrastructure, etc.</p>	<p>Increasing resiliency for transportation infrastructure mitigates against future floods and severe storms to reduce or eliminate damages, increase safety, and prevent loss of life and property.</p>	<p>Floods, Severe Storms, Tornadoes</p>	<p>Local communities in the HUD and State MIDs lost access during the 2017 disasters when roads, bridges, and other infrastructure were damaged by floods and severe weather. Strengthening infrastructure can minimize future losses to life and property.</p>	<p>Public Facilities and Improvements  HCDA – 105(a)(2)</p>	<p><b>Low-Mod. Area Benefit:</b> 24 CFR 570.483(b)(1)(i)</p> <p><b>Urgent Need:</b> 24 CFR 570.483(d)</p>
<p><b>PUBLIC FACILITY HARDENING:</b> Harden and increase resilience for fire and police departments, water and wastewater treatment facilities, emergency shelters, etc.</p>	<p>Increasing resiliency for public facilities mitigates against future floods and severe storms to reduce or eliminate damages, increase safety, and prevent loss of life and property.</p>	<p>Floods, Severe Storms, Tornadoes</p>	<p>Local communities in the HUD and State MIDs suffered the loss of public facilities due to flooding and severe weather. Strengthening public facility infrastructure can minimize future losses to life and property.</p>	<p>Public Facilities and Improvements  HCDA – 105(a)(2)</p>	<p><b>Low-Mod. Area Benefit:</b> 24 CFR 570.483(b)(1)(i)</p> <p><b>Urgent Need:</b> 24 CFR 570.483(d)</p>

Mitigation Activity	1. Meets Mitigation Definition	2. Potential Risks Addressed	3. How Current and Future Risks Are Addressed	4. CDBG-Eligible Activity	5. National Objective
<p><b>CRITICAL FACILITY GENERATORS:</b> Install generators in critical facilities to ensure that local governments have access to power throughout an emergency when local sources of power are out.</p>	<p>Installation of generators in the structures of critical public facilities (e.g., potable water facilities, wastewater facilities, police and fire departments, emergency shelters) increases safety and helps prevent loss of life and property.</p>	<p>Floods, Severe Storms, Tornadoes</p>	<p>Local communities in the HUD and State MIDs suffered power outages during the 2017 disasters. Installing generators in critical facilities will keep these facilities operating in future disasters.</p>	<p>Public Facilities and Improvements  HCDA – 105(a)(2)</p>	<p><b>Low-Mod. Area Benefit:</b> 24 CFR 570.483(b)(1)(i)</p> <p><b>Urgent Need:</b> 24 CFR 570.483(d)</p>
<p><b>WARNING SYSTEMS:</b> Warning systems to alert communities when severe weather or flooding is imminent.</p>	<p>Warning systems increase a community’s ability to seek shelter and protect property in advance of severe weather and tornadoes, thus increasing safety and preventing loss of life.</p>	<p>Floods, Tornadoes</p>	<p>Many communities within the HUD and State MIDs do not have warning systems. Installing warning systems in communities provides life- and property-saving advance notice of disaster.</p>	<p>Public Facilities and Improvements  HCDA – 105(a)(2)  Public Services (if electronic communication)  HCDA – 105(a)(8)</p>	<p><b>Low-Mod. Area Benefit:</b> 24 CFR 570.483(b)(1)(i)</p> <p><b>Urgent Need:</b> 24 CFR 570.483(d)</p>



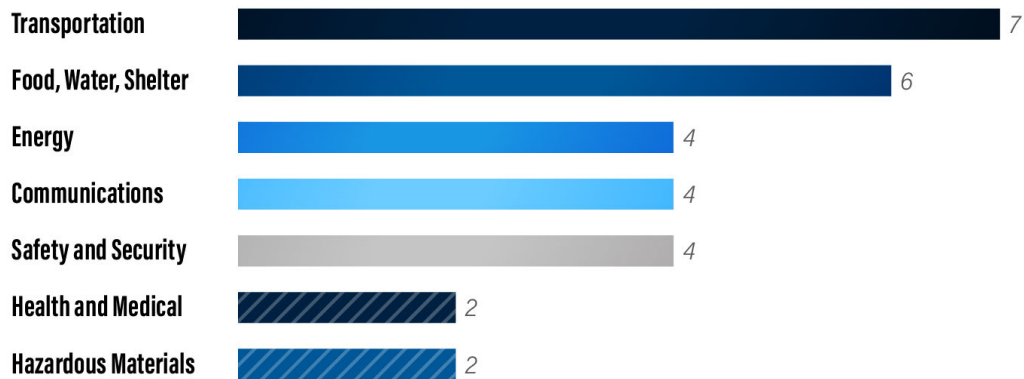
### Community Lifeline Alignment with CDBG-MIT Mitigation Program Objectives

The State of Missouri in designing its CDBG-MIT programs looked to arrange programs that had the potential to assist the greatest number of communities possible across the 55-county HUD and State MIDs. Each of the programs identified has the potential to protect and preserve the State's critical community lifelines. Depending on the type of project, some or all of the lifelines will be protected.

- With the **Critical Facility Hardening** program, the subrecipient may determine that a hospital needs protection from flooding. In this case, protecting the hospital from flooding would align with the Health and Medical and Safety and Security lifelines. However, under the same program, the subrecipient may determine that it is critical to harden a water treatment plant that is prone to flooding. By protecting the water treatment plant, this would support the Food, Water, and Shelter lifeline; the Safety and Security lifeline; and Health and Medical lifeline.
- Through the **General Infrastructure** program, the subrecipient can harden roads and bridges, which will support the Transportation lifeline. Safe roads are also necessary for emergency responders to access risk areas, thus supporting the Safety and Security lifeline and Health and Medical lifeline. Without safe access for emergency responders, the Safety and Security of the community is at risk.
- Under the **Critical Facility Generators** program, the subrecipient may determine that it is vital to install a generator for the public works facility. The generator will keep the facility operational while the unit of local government is responding to floods, tornadoes, wildfires, and other hazards. The public works facility houses the community's heavy equipment needed to respond to disasters. Ensuring that the public works facility can keep operating during a disaster supports several lifelines: Transportation by accessing equipment needed to keep the roads open or signs for road closures; Communications as often community emergency services are run out of such facilities; Safety and Security because the equipment kept in these facilities are used during search and rescues; and Health and Medical as the facility will support workers clearing roads that allow emergency responders to get through to individuals in need.
- Installing **Warning Systems** can take different forms, including the installation of tornado sirens or developing mobile notifications that can be sent via SMS to a resident's mobile device. A warning system is a direct support to the Communication lifeline, which ultimately can reduce the risks to other lifelines, including Food, Water, and Shelter; Safety and Security; and Health and Medical.

The COGs identified the most impacted community lifelines during recent disaster events in their area, see results in Figure 28.

Figure 28: Results from 2019/2020 Missouri Council of Governments Survey (Appendix 1) on Effects of the 2017 Floods on Community Lifelines for RPCs/COGs with State/HUD MID Counties



**Coordination of Mitigation Projects with Other State Mitigation Activities**

MO DED will ensure that mitigation projects and awards occur in coordination with other mitigation stakeholders and funding administrators such as SEMA and the State Risk Management Team. This coordination will also identify mitigation planning and/or mitigation project opportunities to ensure that CDBG-MIT funds are used most efficiently. More on this can be found in the Coordination and Consultation section of this Action Plan.

**Urgent Need Mitigation National Objective**

The Appropriations Act directs the Department to allocate CDBG-MIT funds to grantees that received CDBG-DR funds to assist in recovery from major federally declared disasters occurring in 2015, 2016, and 2017. To reflect the direction of the Appropriations Act to allocate funds to grantees recovering from recent disasters and to address the demonstrable need for significant mitigation improvements by those grantees, the Department is waiving the criteria for the urgent need national objective as provided at 24 CFR 570.208(c) and 24 CFR 570.483(d), and is establishing an alternative requirement to include new urgent need national objective criteria for CDBG-MIT activities. To meet the alternative criteria for the urgent need mitigation national objective, each grantee must document that the activity (1) addresses the current and future risks as identified in the grantee’s Mitigation Needs Assessment of most impacted and distressed areas, and (2) will result in a measurable and verifiable reduction in the risk of loss of life and property.

The State of Missouri will prioritize LMI beneficiaries to the greatest extent possible and will ensure meeting or exceeding the 50% expenditure requirement for LMI activities. The urgent need mitigation national objective will be used as described below and result in measurable and verifiable reduction of the risk of loss of life and property as follows:

- Infrastructure and public facility mitigation will keep roads and bridges operating in future disaster events of a similar nature as identified in the Risk Assessment, allowing emergency responders to reach area residents and save lives.
- Critical facility generators will keep critical public facilities (e.g., hospitals, shelters, police and fire departments) open and operating to provide services to residents throughout a community, allowing for the verifiable and measurable reduction of the risk of loss of life and property.
- Warning systems will alert residents of impending hazardous conditions that will allow them to take safety precautions and secure property in advance of the hazardous conditions identified in the Risk Assessment, resulting in mitigating property damage and saving lives.

### Covered Projects

In the CDBG-MIT FRN, a covered project is defined as an infrastructure project having a total project cost of \$100 million or more, with at least \$50 million in CDBG funds regardless of source (CDBG-DR, CDBG National Disaster Resilience [NDR], CDBG-MIT, or CDBG). The State of Missouri does not anticipate any projects that meet the definition of a covered project. If it is determined that a project will meet the definition of a covered project, the State will include the covered project in a substantial Action Plan amendment and follow the public hearing process before committing to funding.

## 5.2. Elevation and Construction Standards

### Elevation Standards

The following elevation standards apply to new construction, repair of substantial damage, or substantial improvement of structures located in an area delineated as a flood hazard area or equivalent in FEMA's data source identified in 24 CFR 55.2(b)(1). All structures, defined at 44 CFR 59.1, designed principally for residential use and located in the 100-year (or 1% annual chance) floodplain that receive assistance for new construction, repair of substantial damage, or substantial improvement, as defined at 24 CFR 55.2(b)(10), must be elevated with the lowest floor, including the basement, at least 2 feet above the base flood elevation.

Mixed-use structures with no dwelling units and no residents below 2 feet above base flood elevation must be elevated or floodproofed in accordance with FEMA floodproofing standards at 44 CFR 60.3(c)(3)(ii) or a successor standard, up to at least 2 feet above base flood elevation. Note that grantees should review the Uniform Federal Accessibility Standards' accessibility checklist, which is available at <https://www.hudexchange.info/resource/796/ufas-accessibility-checklist/> and the HUD Deeming Notice, 79 FR 29671 (May 23, 2014) to ensure that these structures comply with accessibility requirements.

All critical actions, as defined at 24 CFR 55.2(b)(3), within the 500-year (or 0.2% annual chance) floodplain must be elevated or floodproofed (in accordance with FEMA standards) to the higher of the 500-year floodplain elevation or 3 feet above the 100-year floodplain elevation. If the 500-year floodplain is unavailable, and the critical action is in the 100-year floodplain, then the structure must be elevated or floodproofed to at least 3 feet above the 100-year floodplain elevation. Critical actions are defined as an “activity for which even a slight chance of flooding would be too great, because such flooding might result in loss of life, injury to persons or damage to property.”

For example, critical actions include hospitals, nursing homes, police stations, fire stations, and principal utility lines. Applicable State, local, and tribal codes and standards for floodplain management that exceed these requirements, including elevation, setbacks, and cumulative substantial damage requirements, must be followed.

### 5.3 Construction Standards

#### Infrastructure Construction Standards

The State of Missouri places particular emphasis on quality, durability, energy efficiency, sustainability, and mold resistance when scoping materials for construction. Each year the State establishes standards for highway and road construction.<sup>59</sup> The **2020 Missouri Standard Specifications for Highway Construction** is the standard specifications book and contains material, equipment, and construction requirements for items specified in the construction of Missouri’s transportation infrastructure. All CDBG-MIT-funded transportation infrastructure projects will, at a minimum, need to meet the State’s requirements. In addition, each infrastructure project will need to ensure that designs incorporate additional resiliency and mitigation objectives to meet HUD’s definition of a mitigation infrastructure project. MO DED is requiring that all subrecipients requesting CDBG-MIT funding for infrastructure projects must demonstrate through their application to the State how these features will be incorporated. See the Application Criteria in Section 5.6.

#### Natural or Green Infrastructure

Natural or green infrastructure is defined as the integration of natural processes or systems (such as wetlands or land barriers) or engineered systems that mimic natural systems and processes into investments in resilient infrastructure, including, for example, using permeable pavements and amended soils to improve infiltration and pollutant removal. Examples of green infrastructure include the following:

- Bioretention areas such as rain gardens and bioswales
- Permeable pavements

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<sup>59</sup> Missouri Department of Transportation website: <https://www.modot.org/missouri-standard-specifications-highway-construction>

- Street trees
- Open spaces that incorporate drainage and infiltration functions

Applicants who are considering green infrastructure projects or including those elements in their overall project will receive up to 10 points out of 100. Subrecipients are encouraged to incorporate multiple forms of green infrastructure, have extensive planning (such as a master plan) already completed, demonstrate community support, and show how the improvements will provide significant mitigation impacts, as well as cross-cutting benefits to the community or region (e.g., community quality of life, attraction to a downtown area that can benefit businesses and merchants).

### Resilient Home Construction Standard

The State of Missouri places particular emphasis on quality, durability, energy efficiency, sustainability, and mold resistance when scoping materials for construction.

Subrecipients are encouraged to incorporate a Resilient Home Construction Standard and meet an industry-recognized standard such as those set by the FORTIFIED Home™ Gold level for new construction of single-family, detached homes; the FORTIFIED Home Silver level for reconstruction of the roof, windows, and doors; the FORTIFIED Home Bronze level for repair or reconstruction of the roof; or any other equivalent comprehensive resilient or disaster-resistant building program. Furthermore, grantees are strongly encouraged to meet the FORTIFIED Home Bronze level standard for roof repair or reconstruction.

FORTIFIED Home is a risk-reduction program providing construction standards for new homes and retrofit standards for existing homes, which will increase a home's resilience to natural hazards, including high wind, hail, and tropical storms. Insurers can provide discounts for homeowner's insurance for properties certified as FORTIFIED. Grantees should advise property owners to contact their insurance agent for current information on what discounts may be available. More information is also available at <https://disastersafety.org/fortified/fortifiedhome/>.

### Green Building Requirements

The State of Missouri strongly encourages subrecipients to meet the Green Building Standard in this subparagraph for the following:

- All new construction of residential buildings
- All replacement of substantially damaged residential buildings. Replacement of residential buildings may include reconstruction (i.e., demolishing and rebuilding a housing unit on the same lot in substantially the same manner) and may include changes to structural elements such as flooring systems, columns, or load-bearing interior or exterior walls.

For the purposes of this Action Plan, the Green Building Standard means that the State of Missouri and its subrecipients will consider meeting one of the following industry-recognized standards for all construction covered above through implementation of one or more of the following programs:

- ENERGY STAR® (Certified Homes and Multifamily High-Rise)
- Enterprise Green Communities
- LEED (New Construction, Homes, Midrise, Existing Buildings Operations and Maintenance, or Neighborhood Development)
- International Code Council (ICC) 700 National Green Building Standard
- U.S. Environmental Protection Agency, Indoor AirPlus (ENERGY STAR is a prerequisite)
- Any other equivalent comprehensive green building program acceptable to HUD

Subrecipients should identify, in each project file, which Green Building standard will be used, if any, on any building covered above.

Currently, the State of Missouri is not anticipating rehabilitating non-substantially damaged houses with CDBG-MIT funds. If, at a future date, the State determines that CDBG-MIT funds will support the rehabilitation of non-substantially damaged houses, the State will require compliance with HUD's CPD Green Building Retrofit Checklist.

#### 5.4 CDBG-MIT Program Budget

The CDBG-MIT program budget is based on the FRN requirements which state that 50% of CDBG-MIT funds must be expended in the HUD-identified MIDs and the remaining 50% may be expended in the State-identified MIDs. The table below lists the programs and activities determined to meet identified needs, based on the Risk-Based Needs Assessment, the percentage of the total CDBG-MIT budget that each activity will receive, and the total amounts for each activity allocated to the HUD and State MIDs.

Table 22: CDBG-MIT Program Budget and Eligible Applicants

Program	Allocation	% of Total Funds <sup>60</sup>	HUD MIDs	State MIDs	Max. Award	Eligible Applicants
<b>Infrastructure</b>	<b>\$33,273,600</b>	<b>80%</b>	<b>\$16,636,800</b>	<b>\$16,636,800</b>		
General Infrastructure	\$13,309,440	32%	\$6,654,720	\$6,654,720	\$2.5M	Units of Local Government
Public Facility Hardening	\$13,309,440	32%	\$6,654,720	\$6,654,720	\$5M	Units of Local Government
Generators for Critical Facilities	\$3,327,360	8%	\$1,663,680	\$1,663,680	\$50K	Units of Local Government
Warning Systems	\$3,327,360	8%	\$1,663,680	\$1,663,680	\$50K	Units of Local Government
<b>Planning and Capacity Grants</b>	<b>\$6,238,800</b>	<b>15%</b>	<b>\$3,119,400</b>	<b>\$3,119,400</b>		
Mitigation Planning	\$3,119,400	7.5%	\$1,559,700	\$1,559,700	\$150K	Units of Local Government and RPCs/COGs
Capacity Grants	\$1,934,028	4.6%	\$967,014	\$967,014	\$200K	Units of Local Government and RPCs/COGs
MO DED Planning	\$1,185,372	2.9%	\$592,686	\$592,686	NA	NA
<b>MO DED Administration</b>	<b>\$2,079,600</b>	<b>5%</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>
<b>TOTAL</b>	<b>\$41,592,000</b>	<b>100%</b>	<b>\$19,756,200</b>	<b>\$19,756,200</b>		

### 5.5 Method of Distribution

Missouri will use a method of distribution that allows eligible cities, counties, and RPCs/COGs to apply for funds from the CDBG-MIT program under a competitive process for each program category, which will be established after HUD’s final approval of the CDBG-MIT Action Plan. The program applications will have the scoring criteria and the relative importance. Projects with LMI beneficiaries will receive higher scoring than projects that do not benefit LMI. Upon receipt of the CDBG-MIT award, the unit of local government is the administering entity for program activities. The State will provide training and technical assistance.

<sup>60</sup> For CDBG-MIT grant allocations, no less than 50% of the funds (total award minus any funds budgeted for administration and planning) must be used to support activities benefiting LMI persons (per 84 FR 45856 V.A.11).



### Federal Priority Funding – Distribution Ratios

HUD has stated in the FRN that 50% of all funds shall be expended in the HUD MID ZIP codes and counties, and all activities must meet the definition of mitigation. The five ZIP code areas are as follows:

- 63935 – Doniphan area
- 63965 – Van Buren area
- 64850 – Neosho area
- 65616 – Branson area
- 65775 – West Plains area

The remaining 50% of the funds are available to the State MID counties with a Presidentially Declared Disaster under DR-4317 and include the following:

Barry, Barton, Bollinger, Boone, Butler, Camden, Cape Girardeau, Cedar, Christian, Cole, Crawford, Dade, Dallas, Dent, Dunklin, Franklin, Gasconade, Greene, Iron, Jasper, Jefferson, Lawrence, Madison, Maries, Miller, Mississippi, Morgan, New Madrid, Oregon, Osage, Ozark, Pemiscot, Perry, Phelps, Pike, Pulaski, Ralls, Scott, Shannon, St. Louis, Ste. Genevieve, Stone, Texas, Washington, Wayne, Webster, and Wright

### Impact of Funding

63935/63965 (Doniphan and Van Buren areas): Ripley and Carter counties within the Ozark Foothills region have been inundated with riverine and flash flooding disasters since 2008. The infrastructure programs provide a source of funding for these counties to make large-scale improvements to their infrastructure that has been continually damaged by these floods.

64850 (Neosho area): Newton County and its municipalities have been repetitively affected by natural disasters and flash flooding that have damaged public infrastructure. The local governments have been unable to effectively implement mitigation strategies due to scarce local funding and inflexible Federal public assistance guidelines. The use of CDBG-MIT funds to implement infrastructure mitigation projects would be a significant benefit to local communities.

65616 (Branson area): Taney County and its municipalities have been severely affected by repetitive flooding of roads and public areas, and with some permanent washout damage to the infrastructure. The CDBG-MIT programs allow the region to fund infrastructure that supports housing to prevent temporary and/or permanent homelessness as a result of flooding events.



65775 (West Plains area): Howell County and its municipalities have had their public infrastructure affected by severe flooding. Bank erosion is threatening the structural integrity of the sewage lagoons and needs to be stabilized to mitigate future erosion and potential collapse. Due to scarce local funding and inflexible Federal public assistance guidelines, CDBG-MIT funding provides a significant benefit to the community in implementing mitigation projects.

### Low- to Moderate-Income Beneficiaries

The CDBG-MIT funds will be used solely for necessary expenses related to mitigation activities, as applicable, in the most impacted and distressed areas for which the President declared a major disaster in 2017 pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1974 (42 U.S.C. 5121 et seq.). With regard to activities expected to be assisted with CDBG-MIT funds, this Action Plan has been developed to give priority to activities that will benefit LMI families. The aggregate use of CDBG-MIT funds shall principally benefit LMI families in a manner that ensures that at least 50% of the CDBG-MIT grant amount is expended for activities that benefit such persons.

Subrecipients will not attempt to recover any capital costs of public improvements assisted with CDBG-MIT funds by assessing any amount against properties owned and occupied by LMI persons, including any fee charged or assessment made as a condition of obtaining access to such public improvements.

### Eligible Applicants

Eligible applicants are units of general local government (UGLGs), cities and counties only, within the 55 Presidentially Declared Disaster counties under DR-4317. The only exception to the city and county applicants falls under the category of Planning, where RPCs may apply directly to the CDBG-MIT program for planning funds.

- Eligible Subrecipients: City and county governments may choose to partner with eligible quasi-governmental agencies or nonprofits.
- Priority Subrecipients: Priority consideration will be given to applications from cities and counties that partner with RPCs/COGs as subrecipients.

### Program Categories

Categories indicate the use of funds for a specific purpose. This Action Plan defines the categories of funds under Infrastructure, Planning, and Administration. The categories define the specific purpose, the total funds allocated to the category, the application method for accessing funds, deadline dates for applications within the category, the maximum amounts available per applicant, and the maximums per beneficiary.

## Maximum Award

The State of Missouri has fully determined maximum awards under each program category based on a cost reasonableness approach and objective to maximize the CDBG-MIT funds to the greatest extent possible. Based on the funding caps in each category, the State of Missouri estimates that at least 170 mitigation projects will be implemented in the HUD and State MIDs, funded with CDBG-MIT funds. As the State and local communities make efforts to leverage other mitigation funding sources, these projects could increase to 200.

## General Infrastructure Program

- Total Program Funds: \$13,309,440
- Maximum Award per Project: \$2,500,000
- Estimated Projects: 6 (up to 3 per each MID region)

## Public Facility Hardening Program

- Total Program Funds: \$13,309,440
- Maximum Award per Project: \$5,000,000
- Estimated Projects: 2 (at least 1 in each MID region)

## Critical Facility Generators Program

- Total Program Funds: \$3,327,360
- Maximum Award per Project: \$50,000
- Total Estimated Projects: 66 (up to 33 projects in each MID region)

## Warning Systems Program

- Total Program Funds: \$3,327,360
- Maximum Award per Project: \$50,000
- Total Estimated Projects: 66 (up to 33 projects in each MID region)

## Mitigation Planning

- Total Program Funds for Mitigation Planning: \$3,119,400
- Maximum Award per Project: \$150,000
- Total Estimated Projects: 20 (up to 10 projects in each MID region)

## Capacity Grants

- Total Program Funds for Capacity Grants: \$ 1,934,028
- Maximum Award per Project: \$200,000
- Total Estimated Projects: 10 (up to 5 staff in each MID region)

Table 23: Maximum Project Award per Program

Program	Allocation	No. of Estimated Projects	Maximum Award	Eligible Applicants	LMI Priority
<b>Infrastructure</b>	<b>\$33,273,600</b>	<b>140</b>			
General Infrastructure	\$13,309,440	6	\$2,500,000	Units of Local Government	Must show how LMI prioritized
Public Facility Hardening	\$13,309,440	2	\$5,000,000	Units of Local Government	Must show how LMI prioritized
Generators for Critical Facilities	\$ 3,327,360	66	\$50,000 per generator	Units of Local Government	Must show how LMI prioritized
Warning Systems	\$ 3,327,360	66	\$50,000 per system	Units of Local Government	Must show how LMI prioritized
<b>Planning and Capacity Grants</b>	<b>\$ 5,053,428</b>	<b>30</b>			
Mitigation Planning	\$ 3,119,400	20	\$150,000	Units of Local Government and RPCs/COGs	Must show how LMI prioritized
Capacity Grants	\$ 1,934,028	10	\$200,000	Units of Local Government and RPCs/COGs	Must show how LMI prioritized

### 5.6 CDBG-MIT Application and LMI Priority Funding

The State CDBG-MIT program will prioritize funding based on an evaluation using a 100-point scoring criteria. Within the infrastructure scoring matrix is a criterion called “Priority LMI” that provides up to 10 points for projects with 51% or more LMI beneficiaries. For planning activities, up to 25 points will be given for prioritizing vulnerable populations

Each program category for infrastructure and planning will have an accompanying application form and guidelines to assist eligible cities and counties with submission of their requests to the State CDBG-MIT program at MO DED. Projects that are located in the HUD MIDs will receive additional points in order to prioritize these projects. After no less than 50% of the funds are awarded to the eligible HUD MID areas, the remaining funds will be awarded to the highest scoring State MID areas.

The eligible geographic area is defined by the UGLG winning the award. If the subrecipient is a county, then the eligible geographic area is the area within that jurisdiction. If it is a regional RPC or COG, then it would be for the region represented by that RPC/COG. See the scoring criteria below.

**Table 24: Infrastructure and Public Improvement Application Scoring Criteria**

Mitigation Objective	Criteria	Score
LMI Benefit	Prioritize LMI	0–10
MID	Project Located in a HUD MID	5
Need Rating	Impact on Community Lifelines	0–10
Outcomes	Measurable Outcomes or Goals	0–10
Project Impact	Project Alignment with Definition of Mitigation	0–10
	Incorporation of Resilience Measures	0–10
	Incorporation of Green Building Standards	0–10
	Cost-Effectiveness	0–10
	Maintenance and Operations	0–10
Local Effort	Leveraging	0-5
	Partnership with RPCs/COGs as Subrecipients	0-10

**Table 25: Planning Scoring Criteria**

Mitigation Objective	Criteria	Score
HUD MID	Planning Benefits HUD MID	10
Need Rating	Prioritize Vulnerable Population	0-25
	Mitigation-Aligned Enhancements to Existing Plans	0-15
	Capacity for Plan Development	0-25
	Capacity for Plan Implementation	0-25

### 5.7 Operations and Maintenance

The CDBG-MIT funds will be awarded for eligible projects to UGLGs through a competitive application process. Where a project is wholly contained within a jurisdiction, that jurisdiction is responsible for identifying local resources to cover the operations and maintenance costs. The jurisdiction must provide an operations and maintenance plan with its application. If the jurisdiction will be reliant on any proposed changes to existing taxation policies or tax collection practices, these proposed changes will also be required with the application with the relevant milestones included. Where projects may be regional in nature and cross jurisdictions, the applicants will have to provide a Memorandum of Understanding describing how long-term operations and maintenance

will be shared by the entities and include a description of any proposed change to taxation or tax collection practices.

## 5.8 Exception Policy

The State of Missouri will make exceptions to the maximum award amounts based on its Exception Policy. Each request for an exception to the maximum award amount or other program policies will be reviewed on a case-by-case basis by MO DED. Requests must be submitted in writing and include a justification for exceeding the maximum award amount or other policy requirements. The policy exception is not to be implemented until MO DED authorizes the exception in writing. Requests will be review by MO DED and a response will be provided in writing within 5 business days. All exceptions must still meet HUD's requirements for necessary and reasonable.

## 5.9 Leveraged Funds

### Infrastructure

The State of Missouri understands the importance of leveraging funds to increase its ability to address major disasters and implement mitigation projects. As part of the initial response to the 2017 disasters, the State CDBG-DR program established a system for notification by FEMA and SEMA Public Assistance programs when communities were hesitating to engage in Public Assistance projects because of the cost of the local match, and when communities were hesitating to engage in Public Assistance projects with additional mitigation activities because of the cost of the local match. Based on this partnership, MO DED worked to support local eligible communities with matching funds to allow the projects to take advantage of Federal Public Assistance dollars, as well as take advantage of additional mitigation design elements.

MO DED enjoys strong ties to infrastructure funding partners in the State and has co-sponsored the Missouri Water and Wastewater Review Committee for more than 15 years. The committee is made up of the Missouri Department of Natural Resources and the Rural Development State Offices of the U.S. Department of Agriculture—the agencies that represent the largest public infrastructure financing in the State.

In addition, CDBG has also had long-standing partnerships with the following:

- U.S. Army Corps of Engineers
- Economic Development Administration
- Missouri Department of Transportation
- Local statutory authorities of Community Improvement Districts, Transportation Development Districts, and Tax Increment Financing Districts

The goal for the use of the CDBG-DR funding is to continue the track record of leveraged investments.

### Housing

Although not an objective of these CDBG-MIT funds, the State has and will continue to encourage the leveraging of funding for housing from the following:

- Missouri Housing Development Commission (MHDC) HOME Investment Partnership, HERO program, State and Federal low-income housing tax credits (both 4% and 9%), and Emergency Shelter Grant program
- Department of Economic Development, Division of Business and Community Services, CDBG program, and the Neighborhood Preservation Tax Credit Program
- Department of Economic Development, Division of Energy, Weatherization Program
- U.S. Department of Agriculture – Rural Development
- U.S. Department of Housing and Urban Development
- Department of Public Safety, State Emergency Management Agency, Hazard Mitigation Program
- Small Business Administration, Home Disaster Loan Program
- Nongovernmental philanthropic organizations and nonprofit development organizations
- Private sector development community
- Disaster survivor financial participation and sweat equity (to the extent feasible and practical)

The goal is to facilitate housing rehabilitation, reconstruction, and new construction of affordable single-family homes and multifamily dwellings in a manner consistent with the need for resiliency and mitigation in the HUD and State MIDs. Care will be taken to consider mitigation design and demand suitable to the market.

### Economic Revitalization

The State has and will continue to leverage funding assistance for economic revitalization from the SBA business loan and economic injury disaster loan program:

- U.S. Economic Development Administration (EDA) disaster funding for commercial revitalization, planning, and infrastructure development activities that support business development
- Missouri Development Finance Board, Small Business Loan Program
- Missouri Department of Economic Development, Division of Tourism, matching tourism marketing grant program

- Local nonprofit and quasi-governmental revolving business loan programs
- U.S. Department of Agriculture Rural Development business lending and infrastructure development programs
- Missouri Department of Transportation Economic Development set-aside for transportation in direct support of business development

The goal is to facilitate business retention and expansion in support of the restoration of the negative impacts on the regional economy.

### 5.10 Cost Reasonableness and Cost Analysis

Local government grantees receiving CDBG-MIT funds are required to follow State CDBG-MIT program policies and procedures in order to assess the cost-effectiveness of mitigation projects relative to other alternatives by deploying a cost reasonableness analysis. The analysis must describe the method for determining when the cost of the mitigation will not be cost-effective relative to other means of assistance.

All construction activities that utilize CDBG-MIT funds must be reasonable and consistent with market costs at the time and place of construction. For infrastructure projects, MO DED will rely on licensed engineers responsible for project budget justification, construction code requirements, and CDBG-MIT project funding maximums. Cost estimates must be recent as of 12 months of application submission.

MO DED will encourage subrecipients to consider the costs and benefits of the project, along with the total cost per person or structure served when selecting CDBG-MIT-eligible projects. MO DED may use an independent, qualified third-party architect, construction manager, or other professional (e.g., a cost estimator) to verify that the planned project costs and cost changes to the contract (e.g., change orders) during implementation are reasonable. The proposed projects will undergo application review, which includes cost verification.

To evaluate costs and benefits, subrecipients may draw on FEMA's Understanding the FEMA Cost-Benefit Analysis Process, which may be found at [https://www.fema.gov/media-library-data/20130726-1506-20490-9382/fema259\\_app\\_b.pdf](https://www.fema.gov/media-library-data/20130726-1506-20490-9382/fema259_app_b.pdf). While this document outlines the specific FEMA process, MO DED does not require a formal benefit-cost analysis (BCA) to be completed for its projects. This document is simply a guide to assist potential subrecipients in an evaluation of their projects, which outlines various factors that may be considered in justifying the cost.

Each identified covered project will be required to conduct a BCA. More detailed cost verification requirements for covered projects will be provided by MO DED as applicable.

All other changes to the original scope of construction work must be addressed through a Change Order process. The Change Order process requires that the Change Order be



submitted in writing to the local government with justification for making the change. The Change Order must be necessary and reasonable for reimbursement from CDBG-MIT funds. The State will require local government grantees to require construction contractors to implement cost control measures or verify that reimbursable costs are correctly controlled during the project.

Standard agreements with jurisdictions will include subrogation clauses in case of the event of noncompliance with the applicable requirements and regulations. A grantee may find it necessary to provide exceptions on a case-by-case basis to the maximum amount of assistance or cost-effectiveness criteria; the State CDBG-MIT program will describe the process that UGLGs will use to make such exceptions in its policies and procedures. All CDBG-MIT expenditures remain subject to the cost principles in 2 CFR Part 200, Subpart E – Cost Principles, including the requirement that the costs be necessary and reasonable for the performance of the grantee’s CDBG-MIT grant.

## 5.11 Policies and Procedures

A manual outlining the policies and procedures associated with the use of CDBG-MIT funds will be available at <https://ded.mo.gov/programs/cdbg/mitigation> once the CDBG-MIT Action Plan is approved.

In addition to the Federal compliance areas of procurement, citizen participation, financial management, equal opportunity and fair housing, environmental review, and contract management, the manual will include housing quality standards, natural and green building standards, and construction standards for infrastructure and housing (including housing rehabilitation, housing reconstruction, and new construction); duplication of benefits requirements and processes; deed restrictions and applicable Uniform Relocation Act requirements; optional relocation plans; resolutions related to flood insurance requirements and policies to increase hazard insurance coverage; program agreements and contract documents, beneficiary intake forms, and so forth. With regard to applicable Uniform Relocation Act requirements, the State will define “demonstrable hardship” in the policies and procedures.

### Labor Standards

Davis-Bacon and Related Acts, the Contract Work Hours and Safety Standards Act, and/or the Fair Labor Standards Act are applicable for all construction projects totaling more than \$2,000 for projects utilizing CDBG-MIT funds. Federal labor standards cannot be waived for CDBG-MIT projects.

Prior to bidding construction work, MO DED requires that subrecipients obtain the appropriate Wage Decision identified for the type of construction activity and location of the project. Federal Wage Decisions can be located at <https://beta.sam.gov/>. Costs incurred to comply with Federal labor standards are an eligible CDBG-MIT cost.



### Section 3

The definition of “low-income persons” in 12 U.S.C. 1701u and 24 CFR 135.5 is the basis for eligibility as a Section 3 resident. A Section 3 resident refers to the following:

- (1) A public housing resident, or
- (2) An individual who resides in the metropolitan area or nonmetropolitan county in which the Section 3 covered assistance is expended, and who is:
  - (i) A low-income person, or
  - (ii) A very-low-income person.

MO DED determines that an individual is eligible to be considered a Section 3 resident if the annual wages or salary of the person are at or under the HUD-established income limit for a one-person family for the jurisdiction, which is 80% of the median income for the area. This authority does not impact other Section 3 resident eligibility requirements in 24 CFR 135.5. MO DED will submit Form HUD-60002 annually through the Section 3 Performance Evaluation and Registry System (SPEARS) on HUD’s website.

MO DED staff have knowledge and experience in applying the regulations implementing Section 3 of the Housing and Urban Development Act of 1968 (24 CFR Part 135). Procured contractors will comply with Section 3 regulations. Contractors will ensure, to the greatest extent feasible, that employment and business opportunities will be directed to qualified low- and very-low-income persons and business concerns that provide economic opportunities to low-income persons. Contractors will make every effort to recruit, target, and direct opportunities to Section 3 residents and businesses, as well as notifying Section 3 residents about training opportunities. MO DED will provide contractors with resources to maximize and monitors these efforts.

Additional administration costs may be incurred due to additional outreach, tracking, and reporting of Section 3 requirements for CDBG-MIT projects. These are eligible costs and should be factored into overall project delivery.

#### The MO DED Labor and Section 3 coordinator is:

Amy Werner  
P.O. Box 118  
Jefferson City, MO 65109  
[mocdbg@ded.mo.gov](mailto:mocdbg@ded.mo.gov)  
1-800-253-0609

#### Duplication of Benefits Review

A duplication of benefits (DOB) occurs when an impacted community receives financial assistance from multiple sources, such as FEMA, USACE, EDA, insurance, and so forth, for

a cumulative amount that exceeds the total need for a particular mitigation purpose. A DOB review will be applied to all CDBG-MIT activities. In determining an applicant's unmet need, grantees must follow the State's DOB policy or develop policies and procedures to prevent any DOB in accordance with the State's policy. The State will review the grantee's DOB policy and procedures to ensure that it meets the DOB requirements of the Stafford Act and HUD's guidance under FRNs 84 FR 28836, 84 FR 28848 (published June 20, 2019), and 76 FR 71060 (published November 16, 2011). At a minimum, the process for determining any duplications will include assessing the need, identifying the total assistance available to the applicant, deducting benefits received for a different purpose, deducting funds received for the same purpose but a different eligible use, and funds not available. Once the duplicated funds have been identified and subtracted from the unmet need amount, any remaining unmet need can be assisted with CDBG-MIT funds.

The State requires a subrogation agreement to be signed by every applicant for CDBG-MIT assistance. A subrogation agreement ensures that any benefits received by the subrecipient after the processing of the grant award that may represent a duplication will be paid back.

The State will seek to establish data-sharing agreements with FEMA to confirm the validity of DOB being reported. Coordination meetings will be held with SEMA to review specific mitigation projects, discuss how those projects are being developed, how projects will be funded across various sources, and resolve any issues around implementing mitigation goals.

### Training and Technical Assistance

The complexity associated with using CDBG-MIT funds requires training and technical assistance to ensure that project goals are achieved while remaining compliant with program rules and regulations for mitigation activities. The CDBG-MIT program will offer training opportunities to interested parties at the application stage and the new grantee training stage. Training to build subrecipient capacity will be implemented throughout the year by focusing on specific program compliance areas. Technical assistance is available to every potential applicant, subrecipient, and professional service provider throughout each stage of the process. The Missouri CDBG-MIT program employs regional field representatives assigned to specific areas of the State, as well as specialists who maintain expertise in certain fields such as housing, economic development, and infrastructure, and compliance areas such as procurement, equal opportunity and fair housing, Uniform Relocation Act, labor standards, financial management, and environmental review. MO DED may include special conditions in the subrecipient agreement to address identified capacity issues.

## 5.12 CDBG-MIT Disaster Website

A dedicated CDBG-MIT web page found at <https://ded.mo.gov/programs/cdbg/mitigation> will be used to post a copy of the draft Action Plan for public comment and the final HUD-approved Action Plan and any amendments. The CDBG-MIT website will comply with the following requirements from the FRN. The Website Policy is included with the Citizen Participation Plan found in Appendix 3, Attachment C.

The information on the CDBG-MIT subsite will include, but may not be limited to, the following:

- Action plans and amendments
- Information on each program, requirements, and steps to apply
- Program policies and procedures
- Procurement
- Procurement policies
- Current requests for proposal
- Eligibility for competitive sub-awards (if applicable)
- Awarded contracts
- CDBG-MIT Citizen Participation Plan
- Quarterly Performance Reports
- Statistics/graphics displaying expenditures and outcomes to date and projections
- Accessibility and LEP requirements



Missouri Department of  
**Economic Development**

## **SECTION 6**

# **CDBG-MIT ACTIVITIES ANALYSIS IMPACTS ON PROTECTED CLASSES**

**ACTION PLAN** FOR STATE OF MISSOURI

COMMUNITY DEVELOPMENT  
BLOCK GRANT MITIGATION (CDBG-MIT)

## 6. CDBG-MIT Activities Analysis Impacts on Protected Classes

### Fair Housing

The State of Missouri is committed to providing housing assistance programs in a manner that furthers fair housing opportunities for all residents. The State will enact planning and outreach efforts to ensure that rebuilding is equitable across communities and that public infrastructure projects seek to assist LMI persons on an areawide benefit. The State will implement all regulations in accordance with the Fair Housing Act. All subgrantees will be required to certify that they will administer their programs in accordance with the Fair Housing Act and that the program will affirmatively further fair housing. Each subgrantee will promote the availability of resilient affordable fair housing choices.

### Accessibility Accommodations

The use of CDBG-MIT funds must meet accessibility standards, provide reasonable accommodations to persons with disabilities, and take into consideration the functional needs of persons with disabilities in the relocation process. Guidance on relocation considerations for persons with disabilities may be found in Chapter 3 of HUD's Relocation Handbook, 1378.0 (available on the HUD Exchange website at [https://www.hud.gov/program\\_offices/administration/hudclips/handbooks/cpd/13780](https://www.hud.gov/program_offices/administration/hudclips/handbooks/cpd/13780)). A checklist of accessibility requirements under the Uniform Federal Accessibility Standards (UFAS) is available at <https://www.hudexchange.info/resources/documents/Ufas-Accessibility-Checklist.pdf>. The HUD Deeming Notice (79 FR 29671, May 23, 2014) explains when HUD recipients can use the 2010 Americans with Disabilities Act (ADA) Standards with exceptions, as an alternative to UFAS to comply with Section 504.

### Impact on Vulnerable Populations

Returning to pre-flood circumstances is not an acceptable alternative for many vulnerable community members. As a community rebuilds its housing, infrastructure, and economic base, there is also a necessary effort to improve opportunities for many citizens. The Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988 (Stafford Act), as amended, contains Section 308, Nondiscrimination in Disaster Assistance, which is designed to protect individuals from discrimination based on their race, color, nationality, sex, age, or economic status.

All recipients of CDBG-MIT funding must comply with Title VI of the Civil Rights Act of 1964. The HUD FRN (84 FR 45838) requires grantees to assess how planning decisions may affect members of protected classes, and racially and ethnically concentrated areas, as well as concentrated areas of poverty; will promote the availability of affordable housing in low-poverty, non-minority areas where appropriate; and will respond to natural hazard-related impacts. In line with Missouri's method of distribution, the grantee (UGLG) must adhere to this requirement when applying for planning and other CDBG-MIT activities.

The U.S. Department of Justice offers guidance to communities undertaking disaster recovery:

1. Reaffirm a commitment to nondiscrimination protections.
2. Engage and include diverse racial, ethnic, and limited English proficiency (LEP) populations.
3. Provide meaningful access to LEP individuals.
4. Include immigrant communities in recovery efforts.
5. Collect and analyze data.

In addition to the LEP plan and other activities/supportive services to ensure the inclusion of all affected persons, the State CDBG-MIT program must also evaluate the physical infrastructure that supports vulnerable populations, such as housing for disabled persons, homeless shelters, and transitional housing.

The State relied on three data sources to evaluate the need related to housing for vulnerable persons:

1. FEMA 1-800 number registration information
2. A county-by-county survey of unmet need conducted by Community Action Agencies
3. Interviews and data collection from the Missouri Housing Development Commission (MHDC)

Note: In the immediate aftermath of the flood, MHDC, their partners at the Community Action Agencies, and members of the Governor’s Partnership reached out to vulnerable populations in damaged dwellings in order to connect them to State and local resources.

FEMA data provided the following self-reported circumstances that may be classified as vulnerable in the HUD and State MIDs (see Table 26).

**Table 26: Owner-Occupied/Renter Vulnerability for HUD and State MIDs**

Vulnerability	Owner-Occupied	Renter/Tenant
Occupied by persons age 62 or older and living alone	326	24
Occupied by person with disabilities	48	14
Occupied by persons with no reported income	117	98
Occupied by person with less than 30% Median Household Income	404	293
<b>Total</b>	<b>895</b>	<b>429</b>

## 6.1 Promote Housing for Vulnerable Populations

The State of Missouri conducted an unmet needs survey following the 2017 disasters to identify the impacts on vulnerable populations. While the unmet needs survey did not result in consistent responses from every county, the total homeless count was on par with the point-in-time survey performed by MHDC. More importantly, the survey did indicate damage to dormitories (68 units), a group home (1), and several transitional housing units (36), which, when combined with the point-in-time survey and the Statewide Homeless Study, will help to inform a category set-aside of funds to address homelessness in the disaster regions for assistance with CDBG-DR funds. The total dollar value of the unmet needs expressed on the surveys was \$3.2 million.

Citations of need also are sourced from the University of Missouri–St. Louis Public Policy Research Center, the MHDC-sponsored Statewide Homeless Study, and the Point-in-Time Count. There are eight Continuum of Care (CoC) programs operating in the State, seven of which serve metropolitan areas and the eighth which serves 101 non-entitlement Missouri counties. The disaster counties are served by the Joplin CoC, Springfield CoC, St. Louis CoC, and the Balance of State CoC. Generally, the disaster area regions in the Balance of the State CoC include portions of regions 1, 2, 5, 6, 7, 8, 9, and 10.

**Table 27: Balance of State Homeless Count**

Balance of State CoC Region	Number of Sheltered and Unsheltered Homeless Persons by Region	Number of Sheltered and Unsheltered Homeless Households by Region
1	61	45
2	12	12
5	439	325
6	78	53
7	88	77
8	71	48
9	60	44
10	154	101
Total	963	705

The split between sheltered versus unsheltered is 77% versus 23%, respectively. Homeless sub-populations include 16% with mental illness, 21% with a substance disorder, less than 1% with HIV/AIDS, and 24% victims of domestic violence. One hundred of the total persons and 98 of the total households are veterans. One hundred four of the total persons are unaccompanied youth, 28 of whom are less than 18 years of age. Of the counties declared in the disaster, Boone, Butler, Cole, Howell, Phelps, and Dunklin are in the top 10 counties with the highest homeless population.

CDBG-MIT funds will be used to increase resiliency and safety for vulnerable populations in the HUD and State MIDs by installing warning systems and critical infrastructure generators, which will provide life-saving warnings ahead of severe storms and tornadoes. In addition, hardening the transportation infrastructure will help to keep roadways and bridges open so that emergency responders can reach these vulnerable populations during a disaster event.

## 6.2 Minimize Displacement

The use of CDBG-MIT-funded activities will be designed to minimize displacement. In accordance with the Housing and Community Development Act of 1974, as amended, and HUD regulations at 24 CFR 42.325 and 570.440 (1), the use of CDBG-MIT funds must minimize the adverse impacts on LMI persons. Any person or business displaced due to a CDBG-MIT activity will be eligible for full Uniform Relocation Assistance (URA) as allowed per implementing regulations at 49 CFR Part 24.

Proposed CDBG-MIT projects are not anticipated to displace or adversely affect LMI persons. However, Voluntary Buyout activities are an eligible use of CDBG-MIT funds and could be allocated in the future if the need is determined. In the event that a Voluntary Buyout program is created under the CDBG-MIT Program, the State may provide Optional Relocation assistance to LMI households to ensure that they can find permanent safer and more resilient housing in a safer area. If a tenant is displaced through a Voluntary Buyout, the tenant household will be eligible for full URA benefits.

### Uniform Relocation Assistance

A displaced person is eligible to receive advisory services; reasonable moving expenses and security deposits and credit checks; interim living costs for actual reasonable out-of-pocket costs incurred in connection with the displacement, including moving expenses; and replacement housing assistance as described above and in the Missouri CDBG-DR Program Housing Guidelines.

### Minimizing Displacement

The following steps will be taken, where applicable, to minimize direct and indirect displacement of persons from their homes. The applicability of items on this checklist is dependent upon the project objectives and related feasibility of each action.

1. Coordinate code enforcement with rehabilitation and housing assistance programs.
2. Evaluate housing codes and rehabilitation standards in subrecipients' project areas to prevent undue financial burden on established owners and tenants.
3. Adopt policies that provide reasonable protections for tenants residing in affected properties.



4. Schedule the rehabilitation of apartment units to allow tenants to remain in the building/complex as long as possible during and after rehabilitation, working with empty units first.
5. Arrange for facilities to house persons who must be relocated temporarily during rehabilitation.
6. Adopt policies to identify and mitigate displacement resulting from intensive public investment in neighborhoods.
7. Establish or utilize approved local counseling centers to provide homeowners and tenants with assistance to understand their options and implement their choices in the face of displacement.
8. If feasible, demolish or convert only dwelling units that are not occupied or vacant occupiable “dwelling units” (as defined in 24 CFR 42.305).
9. Target only those properties deemed essential to the need or success of the project to avoid displacement that is unnecessary.



Missouri Department of  
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## **SECTION 7**

# **APPLICATION STATUS TIMELY EXPENDITURES, AND PROJECTIONS FOR EXPENDITURES AND PERFORMANCE OUTCOMES**

**ACTION PLAN** FOR STATE OF MISSOURI COMMUNITY DEVELOPMENT  
BLOCK GRANT MITIGATION (CDBG-MIT)

## 7. Application Status, Timely Expenditures, and Projections for Expenditures and Performance Outcomes

### 7.1 Application Status

MO DED will accept and process applications from eligible applicants for eligible CDBG-MIT-funded projects. Eligible applicants include local cities, counties, and RPCs/COGs. Applicants will be able to obtain applications from the CDBG-MIT website. The status for all applications for CDBG-MIT funds will be accessible through the website at <https://ded.mo.gov/mitigation>.

Applicant statuses will include the following:

- Application Received
- Application Under Review
- Application on Hold Pending Further Information
- Application Funded
- Application Not Funded

### Communication With Grantee and Subrecipient Applicants

- Telephone MO DED point of contact (available on the website)
- Email MO DED point of contact (available on the website)
- Website view

### 7.2 Timely Expenditures

MO DED will ensure timely expenditure of funds through the following means:

- All grant awards will be tracked through the MO DED grants management system for monthly expenditures. Unless additional details are needed, the internal financial management system will allow DED to make timely payments within a few days of receiving bills from the subrecipients.
- On a monthly basis, when invoices are submitted for reimbursements, an expenditure reconciliation will be done to verify the amount drawn and whether the program is on schedule. Subrecipients will also be required to report quarterly on the program performance of their CDBG-MIT activities.
- If a subrecipient appears to be falling behind the expenditure schedule, MO DED will meet with the subrecipient to determine why the project is not moving forward and a corrective action will be determined.
- In the approved grant agreement with subrecipients, they will be given 3 years to complete their projects and spend the funds. If more time is needed, subrecipients

will need to provide sufficient justification for an extension. For projects that cannot meet the first 6-year expenditure requirement of 50% of the funds, MO DED reserves the right to recapture the grant and fund an alternative mitigation project.

Subrecipients will be required to show that invoices and bills submitted were paid in a timely manner and only eligible costs that are included in the scope of works were reimbursed before MO DED will expend CDBG-MIT funds to reimburse its subrecipients.

### 7.3 Projections for Expenditures and Performance Outcomes

The State of Missouri projects the following expenditures and performance outcomes. As funds become available and applications for mitigation projects have been approved, MO DED will adjust projections to align with awarded projects.

Table 28: Projections for Expenditures and Performance Outcomes

Program	Allocation	% Total Funds	Expended by 2026 <sup>61</sup>	Expended by 2032	Max. Award	Performance Outcomes
<b>Infrastructure</b>	<b>\$33,273,600</b>	<b>80%</b>	<b>\$16,636,800</b>	<b>\$33,273,800</b>		<b>140 projects</b>
General Infrastructure	\$13,309,440	32%	\$ 6,654,720	\$13,309,440	\$2.5M	6 projects
Public Facility Hardening	\$13,309,440	32%	\$ 6,654,720	\$13,309,440	\$5M	2 projects
Generators for Critical Facilities	\$ 3,327,360	8%	\$ 1,663,680	\$ 3,327,360	\$50K	66 projects
Warning Systems	\$ 3,327,360	8%	\$ 1,663,680	\$ 3,327,360	\$50K	66 projects
<b>Planning and Capacity Grants</b>	<b>\$ 6,238,800</b>	<b>15%</b>	<b>\$ 3,119,400</b>	<b>\$ 6,238,800</b>		<b>30 projects</b>
Mitigation Planning	\$ 3,119,400	7.5%	\$ 1,559,700	\$ 3,119,400	\$150K	20 projects
Capacity Grants	\$ 1,934,028	4.6%	\$ 967,014	\$ 1,934,028	\$200K	10 projects
MO DED Planning	\$ 1,185,372	2.9%	\$ 592,686	\$ 1,185,372	NA	Action Plan, Amendments, etc.
<b>MO DED Administration</b>	<b>\$ 2,079,600</b>	<b>5%</b>	<b>\$ 1,039,800</b>	<b>\$ 2,079,600</b>		
<b>TOTAL</b>	<b>\$41,592,000</b>	<b>100%</b>	<b>\$20,796,000</b>	<b>\$41,592,000</b>	<b>NA</b>	

<sup>61</sup> “Expended by 2026” reflects the requirement that Missouri spends 50% within the 6 years, within the 12-year timeline that reaches year 2032.

### Quarterly Performance Reports

MO DED will be responsible for reporting CDBG-MIT performance in the HUD Disaster Recovery Grant Reporting data management system. MO DED will ensure that actual and projected expenditures of funds are accurately reported in the Quarterly Performance Reports (QPRs). QPRs will be posted on the CDBG-MIT website within 3 days of being submitted to HUD each quarter. Reports will include data from the monthly and quarterly performance reports submitted by the subrecipients to MO DED. Subrecipients will undergo a risk assessment by MO DED grant staff prior to expending funds. Based on the outcome of the risk assessment, high-risk subrecipients may be required to submit performance reports on a monthly basis; however, all subrecipients will provide performance reports at least every 3 months for inclusion in the QPR to HUD.



Missouri Department of  
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## **SECTION 8**

# **ADMINISTRATION, SUBSTANTIAL, AND NON-SUBSTANTIAL AMENDMENTS**

**ACTION PLAN** FOR STATE OF MISSOURI

COMMUNITY DEVELOPMENT  
BLOCK GRANT MITIGATION (CDBG-MIT)

## 8. Administration, Substantial, and Non-Substantial Amendments

### 8.1 Administrative Funds

State administrative costs, including grantee administrative costs, will not exceed 5% or \$2,079,600 of the \$41,592,000 allocation. Planning and administrative costs combined will not exceed 20%.

The provisions outlined under 42 U.S.C. 5306(d) and 24 CFR § 570.489(a)(1)(i) and (iii) will not apply to the extent that they cap State administrative expenditures and require a dollar-for-dollar match of State funds for administrative costs exceeding \$100,000. Pursuant to 24 CFR § 58.34(a)(3), except for the applicable requirements of 24 CFR § 58.6, administrative and management activities are exempt activities under this Action Plan.

### 8.2 Program Income

The use of CDBG-MIT funds may potentially generate program income. Should any funds be generated, the recovery of funds, including program income, refunds, and rebates, will be used before drawing down additional CDBG-MIT funds. The Disaster Recovery Grant Reporting system requires grantees to use program income before drawing additional grant funds and ensures that program income retained by one will not affect grant draw requests for other grantees. Grantees will be required to report program income quarterly and will be subject to the applicable rules, regulations, and HUD guidance. Retention of program income will be in compliance with grantee agreements. Policies and procedures for program income are included in the CDBG-DR and CDBG-MIT Implementation Manual.

### 8.3 Pre-Agreement Costs

The State of Missouri will reimburse eligible pre-award costs for CDBG-MIT activities. The provisions of 24 CFR 570.489(b) are applied to permit a State grantee to charge to the grant eligible pre-award costs incurred by itself, its recipients, or subrecipients (including public housing authorities) that are associated with CDBG-MIT funds and comply with grant requirements. Section 24 CFR 570.200(h)(1)(i) will not apply to the extent that it requires pre-award activities to be included in a consolidated plan. Each grantee must include all pre-award activities in its action plan.

Under the prior notices, grantees were permitted to charge to grants the pre-award and pre-application costs of homeowners, businesses, and other qualifying entities for certain eligible recovery costs they incurred within 1 year of a qualified disaster. Because the 1-year period has passed for all grantees receiving an allocation pursuant to this notice and because CDBG-MIT funds are provided in order to reduce risks from future disasters,

CDBG-MIT funds shall not be used to reimburse homeowners, businesses, or entities (other than the grantees, local governments, and subrecipients described above) for mitigation activities completed prior to the applicability date of this notice.

The regulation cited at 2 CFR 200.458 defines pre-agreement costs as “those incurred prior to the effective date of the Federal award directly pursuant to the negotiation and in anticipation of the Federal award where such costs are necessary for efficient and timely performance of the scope of work. Such costs are allowable only to the extent that they would have been allowable if incurred after the date of the Federal award and only with the written approval of the Federal awarding agency.”

Since the disaster occurred in spring 2017 and access to disaster funding is expected in mid-2020, the Missouri CDBG-MIT program anticipates the request of pre-agreement costs, consistent with the regulation, the accompanying CPD Notices, and the related Federal Register for only a few specific project costs incurred.

Once a grant agreement is fully executed, the Missouri CDBG-MIT program will allow the drawdown of pre-agreement costs associated with eligible mitigation activities dating back to the date of the 2017 disaster for subrecipients with appropriate documentation. The Missouri CDBG-MIT program will submit only those costs that follow the CDBG cross-cutting regulations and only those that meet the definition of mitigation per the FRN. No requests shall be of a size or amount that would cause a substantial amendment to the Action Plan, and all costs will be clearly identified in a category recognized in the Action Plan.

## 8.4 Substantial and Non-Substantial Action Plan Amendments

Substantial amendments to the CDBG-MIT Action Plan will require public notice and 30 days for public comment. The public notice will be posted on the CDBG-MIT website and follow procedures detailed in the Citizen Participation Plan (Appendix 3, Attachment A). The thresholds for a substantial amendment are as follows:

**CDBG-MIT Action Plan:** An amendment shall be considered substantial (requiring public notification and a 30-day comment period) under the following circumstances:

- New funding source will be added to the Action Plan
- Addition or deletion of an activity
- Change in program benefit or eligibility criteria
- Allocation for a new funding category or reallocation of a monetary threshold more than 25% of the allocation transferred between funding categories not to exceed HUD-established maximums
- Covered project is proposed



## Requirements for Local Governments Receiving CDBG-MIT Funds

Recipients of CDBG-MIT funds must comply with State Citizen Participation Plan requirements as found in 24 CFR 570, as amended by the FRN (84 FR 45838). All applicants and recipients of grant/loan funds shall be required to conduct all aspects of the program in an open manner, with access to records on the proposed and actual use of funds for all interested persons. All records of applications and grants must be kept at the recipient's offices and be available during normal business hours. Any activity of the grantee regarding the CDBG-MIT project, except for confidential matters related to housing and economic development programs, shall be open to examination by all citizens.

The applicant/recipient must provide technical assistance to groups representative of LMI persons that request such assistance in developing proposals at the level of expertise available at governing offices. All application materials and instructions shall be provided at no cost to any such group requesting them.

Citizens shall be provided with adequate and timely information to enable them to be meaningfully involved in important decisions at the various stages of the program, including at least the determination of needs, the review of proposed activities, and the review of past program performance, in the following manner:

1. At least one public hearing shall be held prior to the submission of an application for housing and/or non-housing needs being submitted to the State for funding through the CDBG-MIT Program. Hearings shall be scheduled at a time and location felt to be most likely for the majority of interested citizens to attend without undue inconvenience. The development of needs and a review of the proposed activities and their possible environmental impact must be addressed at this hearing as reflected by the minutes of the hearing. The hearing cannot be more than 6 months prior to application submission. The second required hearing is held to address the performance on the funded grant at a minimum of 80% completion. The review of the performance (during the grant) must be addressed in a public hearing prior to grant closeout. Proof of said hearing will be part of the closeout documentation.
2. Notification of all hearings shall be given a minimum of 5 full days (actually 7 days, as the day of the notice and the day of the hearing cannot be counted as one of the 5 full days) in advance to allow citizens the opportunity to schedule their attendance. Notification shall be in the form of display advertisements in the local newspaper with the greatest distribution, and/or by posting letters, flyers, and any other forms that are clearly documented with wide circulation. All hearings must be accessible to handicapped persons. Provisions for interpretation shall be made at all public hearings for limited English proficiency residents, if such residents are expected to be in attendance.

The chief elected official's office shall receive and relate to the appropriate persons or groups any views or proposals submitted to the aforesaid office within the decision-making time. Any criticism submitted in writing at any time should be answered in writing within 15 working days by the chief elected official's office. If the complaint is not resolved, it shall be referred to the governing body for final disposition.

### Availability to the Public

The State will provide the CDBG-MIT Action Plan, as adopted; substantial amendments; and the performance reports to the public, including materials in a form accessible to persons with disabilities, upon request. These documents are made available to the public electronically at <https://ded.mo.gov/programs/cdbg/mitigation>.

### Access to Records

Citizens, public agencies, and other interested parties are given reasonable and timely access to the information and records related to the State's CDBG-MIT Action Plan and the State's use of assistance under the programs covered by the plan. Presentation materials, resources used to compile the information in the plan, comments compiled at public hearings, and all other related materials are available to the public upon request.

### Complaints

To comply with the requirements regarding complaints, the State has designated an appropriate and practicable procedure to handle complaints from citizens related to the CDBG-DR Action Plan and Program, CDBG-MIT Action Plan and Program, consolidated plan, amendments, and performance reports. Upon receiving a complaint, the State will provide a timely, substantive written response to written citizen complains within a 15-working day period. Further information regarding complaints are in the attached Citizen Participation Plan, Appendix 3.

Complaints regarding fraud, waste, or abuse of government funds will be forwarded to the HUD Office of Inspector General (OIG) Fraud Hotline (phone: 1-800-347-3735 or email: [hotline@hudoig.gov](mailto:hotline@hudoig.gov)).



Missouri Department of  
**Economic Development**

## **SECTION 9**

# **CITIZEN ADVISORY GROUP FOR CDBG-MIT ACTIVITIES**

**ACTION PLAN** FOR STATE OF MISSOURI

COMMUNITY DEVELOPMENT  
BLOCK GRANT MITIGATION (CDBG-MIT)

## 9. Citizen Advisory Group for CDBG-MIT Activities

The FRN for CDBG-MIT funds requires that following CDBG-MIT Action Plan approval, the State of Missouri is to form one or more citizen advisory committees that shall meet in an open forum not less than twice annually in order to provide increased transparency in the implementation of CDBG-MIT funds, solicit and respond to public comment and input regarding the grantee's mitigation activities, and serve as an ongoing public forum to continuously inform the grantee's CDBG-MIT projects and programs.

MO DED will work with HUD and the State MID communities and their respective RPCs/COGs to form the required Citizen Advisory Group(s). MO DED will use the CDBG-MIT website and outreach strategies to notify residents of the opportunity to participate. Once the groups are established, MO DED will post meeting times and places, agendas, and meeting minutes to the CDBG-MIT website.



Missouri Department of  
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## **SECTION 10**

# **CITIZEN PARTICIPATION**

**ACTION PLAN** FOR STATE OF MISSOURI

COMMUNITY DEVELOPMENT  
BLOCK GRANT MITIGATION (CDBG-MIT)

## 10. Citizen Participation

The State of Missouri has a comprehensive Citizen Participation Plan for stakeholders and residents to be fully informed regarding participation in the State of Missouri's CDBG-MIT Action Plan development. All public notices, informational materials, signage, and comment cards were made available in both English and Spanish. The facilities utilized for public engagement were accessible to persons in wheelchairs/walkers. Anyone needing alternative, special accommodations is provided with a phone number and email address to request accommodations. The full Citizen Participation Plan is in Appendix 3 of this Action Plan.

In compliance with the FRN, the State of Missouri held pre-Action Plan public hearings that included an informational presentation, public comment period, and a mitigation workshop. The public hearings were held in five locations throughout the HUD MID counties. In Neosho, a Spanish-language interpreter was procured to translate for Spanish-speaking citizens. A public notice and press release was shared with the public on January 15, 2020. The example notice below was posted to the CDBG-MIT website and simultaneously sent to the MO DED Listserv for notification of the upcoming hearings.

**Missouri Department of Economic Development  
Community Development Block Grant – Mitigation  
(CDBG-MIT)  
Notice of Public Hearings**

The Department of Economic Development (DED) will hold two public hearings to offer citizens the opportunity to provide public comment and input into the plan for spending \$41 million of CDBG-MIT funding allocated by Federal Register Notice 84 FR 45838 from the U.S. Department of Housing and Urban Development (HUD) on Aug. 30, 2019.

CDBG-MIT funds represent an opportunity for the State of Missouri to use this assistance in areas impacted by the 2017 floods to carry out strategic and high-impact projects that will mitigate disaster risks and reduce future losses. While it is impossible to eliminate all risks, CDBG-MIT funds will help communities mitigate against future disaster risks and coordinate State and local planning activities. This funding is separate from the HUD CDBG-DR funding that has been provided to the State for assistance to individual households.

The hearings will:

- Explain what mitigation is and how CDBG-MIT funding may be used.
- Allow members of the public to provide comments and ask questions.
- Offer an interactive workshop focused on different mitigation topics.

Depending on the location, the public will have access to the hearing facilities during a morning session (10:00 a.m.) or evening session (6:00 p.m.). The first hour will be dedicated to an interactive workshop, proceeding with the presentation and public comments period. Written public comments may also be submitted by email to [mocdbg-mit@ded.mo.gov](mailto:mocdbg-mit@ded.mo.gov) or by mail to P.O. Box 118, Harry S. Truman Building, Jefferson City, MO 65102. Those needing special accommodations to attend the hearings, should call (844) 847-0499 or email [mocdbg-mit@ded.mo.gov](mailto:mocdbg-mit@ded.mo.gov). For additional information, visit the DED website at <https://ded.mo.gov/mitigation>.

**Van Buren City Hall**

Tuesday, 1/28/2020

Registration &amp; Interactive Workshop: 10:00 a.m.

Presentation &amp; Comments: 11:00 a.m.

1401 Main St.

Van Buren, MO 63965

**Doniphan Community Center**

Tuesday, 1/28/2020

Registration &amp; Interactive Workshop: 6:00 p.m.

Presentation &amp; Comments: 7:00 p.m.

105 Washington St.

Doniphan, MO 63935

**West Plains Civic Center**

Wednesday, 1/29/2020

Registration &amp; Interactive Workshop: 6:00 p.m.

Presentation &amp; Comments: 7:00 p.m.

110 St. Louis St.

West Plains, MO 65775

**Branson City Hall, Council Chambers**

Thursday, 1/30/2020

Registration &amp; Interactive Workshop: 6:00 p.m.

Presentation &amp; Comments: 7:00 p.m.

110 W. Maddux St., #210

Branson, MO 65616

**Neosho Civic Center**

Friday, 1/31/2020

Registration &amp; Interactive Workshop: 10:00 a.m.

Presentation &amp; Comments: 11:00 a.m.

109 W. Main St.

Neosho, MO 64850



Missouri Department of  
**Economic Development**

## **SECTION 11**

# **PRE-ACTION PLAN WORKSHOP OUTCOMES**

**ACTION PLAN** FOR STATE OF MISSOURI COMMUNITY DEVELOPMENT  
BLOCK GRANT MITIGATION (CDBG-MIT)



## 11. Pre-Action Plan Mitigation Workshop Outcomes

In compliance with the FRN, the State of Missouri held CDBG-MIT pre-Action Plan public hearings in five locations throughout the HUD MID counties. Following the formal public comment session of the public hearing, an interactive Mitigation Workshop was held to gather further data and comments from the public. Attendees were asked to “vote” by placing stickers on the topic areas that they would like to see CDBG-MIT funds assist. The table below captures the outcomes from the public’s engagement.

**Table 29: Pre-Action Plan Mitigation Workshop Outcomes Based on Public Hearing Location (HUD MIDs)**

	VAN BUREN 1.28.20	DONIPHAN 1.28.20	WEST PLAINS 1.29.20	BRANSON 1.30.20	NEOSHO 1.31.20	TOTAL
<b>AFFORDABLE HOUSING VOTING POSTER:</b>						
<b>My community needs more (vote for your top two choices) ...</b>						
Affordable, quality homes for sale	1	1	11	9	8	30
Affordable, quality rental units	—	3	7	3	6	19
Housing choices outside of flood zones	2	1	3	—	2	8
Parks and recreational space	1	1	8	2	4	16
Community amenities (such as good schools, stores, etc.)	2	10	—	—	1	13
<b>BUYOUT VOTING POSTER:</b>						
<b>If the Buyout Program becomes available for your neighborhood, do you think you might participate in the program?</b>						
Yes	—	12	46	22	5	85*
No	—	—	—	1	2	3
I need more information	—	—	1	—	1	2
It would depend on many factors	1	—	4	—	3	8
It would depend on what my neighbors do	—	—	—	1	—	1
It would depend on whether I can find a new home in the same area	—	—	3	1	—	4

	VAN BUREN 1.28.20	DONIPHAN 1.28.20	WEST PLAINS 1.29.20	BRANSON 1.30.20	NEOSHO 1.31.20	TOTAL
<b>INFRASTRUCTURE VOTING POSTER:</b>						
<b>Which infrastructure improvements are most important to protect Missouri from future disasters?</b>						
Water and wastewater treatment facilities	3	—	12	33	5	53*
Electric grid	1	—	5	2	2	10
Natural infrastructure	4	12	19	2	12	49*
Transportation	3	—	33	6	2	44
<b>PLANNING &amp; RESILIENCE VOTING POSTER: What are the most important planning activities that Missouri and impacted communities should undertake to mitigate the impact of future disasters?</b>						
Planning studies to identify mitigation opportunities	1	5	9	28	5	48*
Changes to local and State zoning and building codes	4	—	6	8	1	19
Resilient construction practices	3	5	15	2	4	29
Training and building capacity of local staff	1	2	8	2	5	18

> 45 Votes\*

45 - 30 Votes

### 11.1 Pre-Action Plan Comments

The State of Missouri was very pleased with the attendance of more than 150 residents during the CDBG-MIT pre-Action Plan public hearings and Mitigation Workshops. Several attendees provided the comments and suggestions noted below. The suggestions were taken into consideration by the State. CDBG-MIT activities were determined to include resilience planning, inclusive of updates to local hazard mitigation plans. The majority of funds are allocated for infrastructure projects that mitigate future flooding, such as raising low-water bridges or hardening critical public facilities to further protect homes and businesses. The State also encourages green building and nature-based solutions as key components of proposed projects. And the State will take under consideration commercial buyouts, when necessary, to purchase properties to implement flood mitigation.

#### BRANSON – Total attendance: 51

- Consider opportunities to fund resilience planning projects such as comprehensive stormwater plans, floodplain management plans, low-water crossing inventories plus replacement plans, match for U.S. Army Corps of Engineers Community Plans, and so forth. Include housing assessments to identify housing needs and develop a housing plan.

- Consider funding projects outside of the MIDs, such as Marshfield planning projects, transportation, infrastructure in Webster County, floodproofing/mitigation efforts in Cassville and Hurley, MO.
- Consider funding projects to floodproof critical infrastructure such as wastewater treatment plants, improve low-water crossings.
- Consider covering the local match requirement for FEMA funding to update multi-jurisdictional Hazard Mitigation Plans.

#### **WEST PLAINS – Total attendance: 51**

- Since 1991, Howell Creek flows out of its banks about every 4–5 years. What is the plan to ensure that the water will stay within its banks? During the 2017 flood, there was a significant number of businesses affected by flooding. I would like to know what percentage of commercial property was impacted compared to homes impacted within the city limits of West Plains, MO. I would also like to know whether any economic studies were done to see how the flood impacted the city and State due to the businesses closing permanently or temporarily. West Plains has lost a lot of businesses in the past few years. For West Plains to continue to thrive, the businesses still in West Plains need to be assisted and not just homeowners. I feel that the [public hearing information] boards at the presentation do not address the issues I'm concerned about.
- Interested in commercial buyouts.
- 1033 6th Street buyout [appears to be a home address], 2017 floods, affordable housing?

#### **DONIPHAN/VAN BUREN (applies to NEOSHO/WEST PLAINS) – Total attendance: 12**

I attended the CDBG-Mitigation hearings in Van Buren and Doniphan, MO, as a representative of The Nature Conservancy's (TNC) interests in working with communities to address flood hazards and mitigation opportunities. Specifically, we would like to see communities applying for CDBG-Mitigation funds to utilize nature-based solutions to help make the infrastructure and citizens more resilient to flood events. TNC considers the following to be examples of nature-based solutions (see the included sheets for more information on these practices):

- Nature-based streambank stabilization
- Protecting and restoring habitat along rivers and streams (such as green water retention ponds)
- Restoring floodplains, wetlands, and riparian zones with natural vegetation and trees
- Property buyouts
- Open-space preservation through land acquisition

- Creation of regulations and policies (such as city ordinances) that protect streambanks and riparian areas from development
- Flood-friendly stream crossings

While the use of any one of these listed practices would help with flood resilience, it is TNC's position that the best plans will incorporate several of these. Most notably, we would like to point out the potential of including protecting and restoring habitat, restoring floodplains and riparian areas, and flood-friendly stream crossings in plans. Restoring and maintaining habitat, floodplains, and riparian areas improve the terrestrial landscape's ability to absorb rainwater, slow runoff, and slow the speed of floodwaters. Also, flood-friendly stream crossings are less likely to be damaged in a flood and allow water to flow more naturally through the stream channel, reducing its need to hunt for new paths. Flood-friendly crossings also restore aquatic organisms' access to upstream portions of river systems, which is an additional benefit for areas supporting popular fisheries.

#### **DONIPHAN – Total attendance: 9**

- Current River was always [*undecipherable*]. At this point, they do not allow gravel to be taken out of the river. There [*undecipherable*] the river has filled in and spread out causing flooding in our town and county, causing a lot of damage.
- The City of Doniphan would like to see funding made available to acquire and demo blighted properties within the City of Doniphan. After acquiring and demolition, building affordable housing on those properties would help replace the housing lost in previous floods.

#### **VAN BUREN – Total attendance: 3**

- Consider commercial buyouts as one of the eligible projects under the economic development category.
- Would like to be able to dig out ditches and low-water crossings; build up the base to help prevent overflow. Also raise low-water bridges.
- Would like to be able to make the buyout properties useful in some way, not just empty lots or parking lots.

#### **NEOSHO – Total attendance: 36**

- Would like to see more natural infrastructure and hardened infrastructure dollars on the front end of funding. Also, more funds allocated for collaborative planning (inter-agency and community-level) on the front end.



Missouri Department of  
**Economic Development**

# APPENDICES

**ACTION PLAN** FOR STATE OF MISSOURI COMMUNITY DEVELOPMENT  
BLOCK GRANT MITIGATION (CDBG-MIT)

## Appendix 1: 2019/2020 Missouri Association of Councils of Government (MACOG) Survey Analysis

### 2019/2020 Missouri Survey Analysis

In December 2019, MO DED sent out a survey to each of the RPCs/COGs to obtain additional details regarding the impacts on communities in their areas, identified risks, costs of the 2017 disaster, and types of mitigation activities they would like to see implemented with CDBG-MIT funds in their areas. The survey was implemented via Google Forms and sent via email to potential participants.

The survey received 16 responses from 11 unique RPCs/COGs, 8 of which contain State or HUD MID counties, and 3 that do not.

#### Exhibit 1. Survey Responses Received from RPCs/COGs

RPCs/COGs With State/HUD MID Counties	Number of Responses
Bootheel Regional Planning and Economic Development Commission	1
Kaysinger Basin Regional Planning Commission	1
Lake of the Ozarks Council of Local Governments	1
Mark Twain Regional Council of Governments	1
Meramec Regional Planning Commission	1
South Central Ozark Council of Governments	1
Southwest Missouri Council of Governments	1
Ozark Foothills Regional Planning Commission	2
<b>RPCs/COGs Without State/HUD MID Counties</b>	
Pioneer Trails Regional Planning Commission*	4
Northeast Missouri Regional Planning Commission*	2
Green Hills Regional Planning Commission*	1

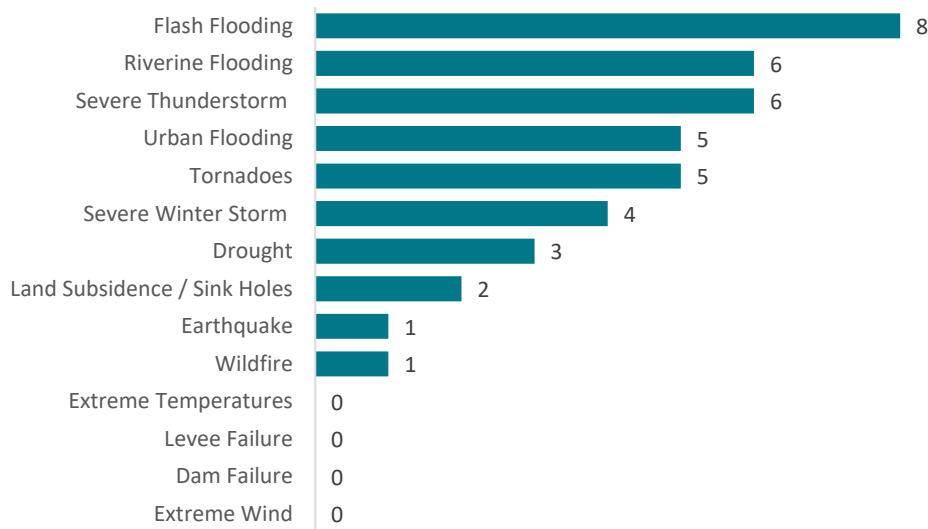
\* While the original intention of the survey was to capture responses from the RPCs/COGs that include the State and HUD MIDs, we also received responses from three other RPCs/COGs. We have separated their responses, where applicable, in this analysis.

The results of the quantitative survey questions were analyzed using simple descriptive statistics and are presented by survey question below. Qualitative responses are featured in the Risk-Based Needs Assessment within the relevant risk sections, as well as Section 4.7 on Community Lifelines. For instances where there were multiple responses per COG, multiple responses were aggregated into one response.

**Survey Question: What are the top risks encountered in your region’s counties?**

The chart below displays the top risks selected by the RPCs/COGs. For the RPCs/COGs that include State/HUD MIDs, the most frequently selected risks were flooding, with all eight of these respondents selecting flash flooding. More than half of the respondents also selected riverine flooding, severe thunderstorm, urban flooding, and tornadoes. RPCs/COGs without MID counties responded similarly, although more were concerned about drought, extreme temperatures, and levee failure.

**Exhibit 2. Top-Rated Risks for RPCs/COGs with State/HUD MID Counties**



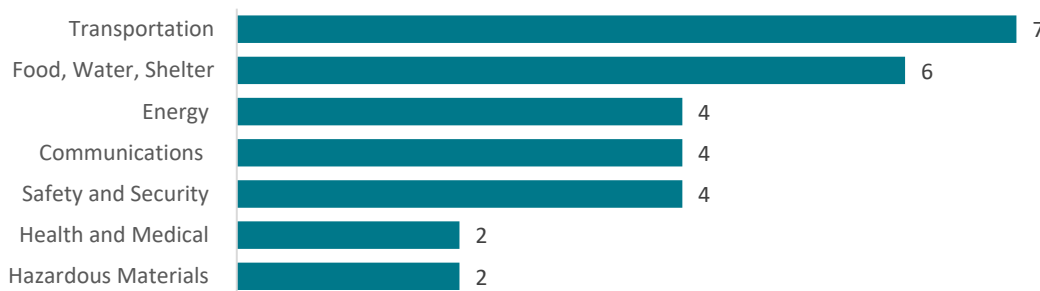
**Exhibit 3. Top-Rated Risks for All RPC/COG Respondents**

Risk	RPCs/COGs With State/HUD MID Counties	RPCs/COGs Without MID Counties	Total
Flash Flooding	8	3	11
Riverine Flooding	6	2	8
Severe Thunderstorm	6	3	9
Urban Flooding	5	2	7
Tornadoes	5	3	8
Severe Winter Storm	4	3	7
Drought	3	3	6
Land Subsidence / Sink Holes	2	0	2
Earthquake	1	0	1
Wildfire	1	1	2
Extreme Temperatures	0	2	2
Levee Failure	0	2	2
Dam Failure	0	1	1
Extreme Wind	0	1	1

**Survey Question: In the Floods of 2017 – select all of the 7 Critical Community Lifelines areas that were impacted in your planning commissions counties.**

Regarding the impacts on community lifelines during the 2017 flood events for the RPCs/COGs with State/HUD MID counties, Transportation was the most selected, followed by Food, Water, and Shelter. About half of the respondents selected the Energy, Communications, and Safety and Security lifelines. RPCs/COGs without MID counties had similar responses, although none selected Hazardous Materials.

**Exhibit 4. Effects of the 2017 Floods on Community Lifelines for RPCs/COGs With State/HUD MID Counties**



**Exhibit 5. Effects of the 2017 Floods on Community Lifelines for All RPC/COG Respondents**

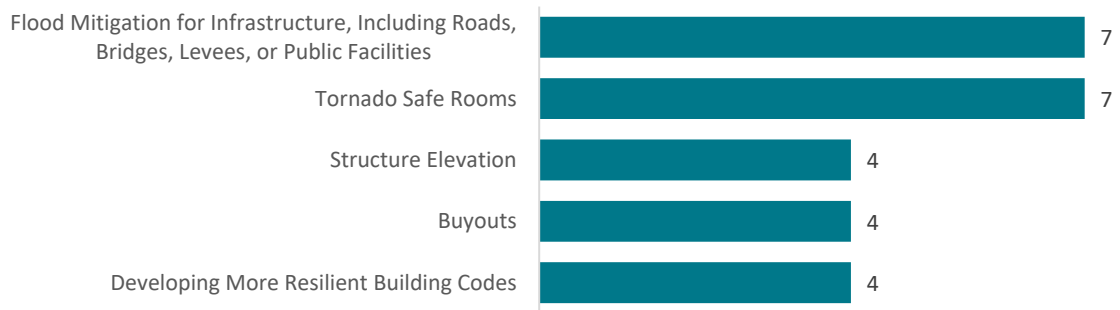
Community Lifelines	RPCs/COGs With State/ HUD MID Counties	RPCs/COGs Without MID Counties	Total
Transportation	7	3	10
Food, Water, and Shelter	6	2	8
Energy	4	1	5
Communications	4	1	5
Safety and Security	4	1	5
Health and Medical	2	1	3
Hazardous Materials	2	0	2

**Survey Question: Please indicate type(s) of mitigation activities that would best address your identified mitigation needs.**

The chart below shows the types of mitigation activities that each RPC/COG with State/HUD MID counties identified as best addressing their mitigation needs. Flood Mitigation and Tornado Safe Rooms were the most frequently selected, with approximately half selecting the other three options. There were no differences between RPCs/COGs with MID counties and those without.



**Exhibit 6. Mitigation Activities Selected by RPCs/COGs With State/HUD MID Counties**



**Exhibit 7. Mitigation Activities Selected by All RPC/COG Respondents**

Activity	RPCs/COGs With State/ HUD MID Counties	RPCs/COGs Without MID Counties	Total
Flood Mitigation for Infrastructure, Including Roads, Bridges, Levees, or Public Facilities	7	3	10
Tornado Safe Rooms	7	3	10
Structure Elevation	4	1	5
Buyouts	4	1	5
Developing More Resilient Building Codes	4	1	5

## Appendix 2: 2019/2020 Missouri Business Survey

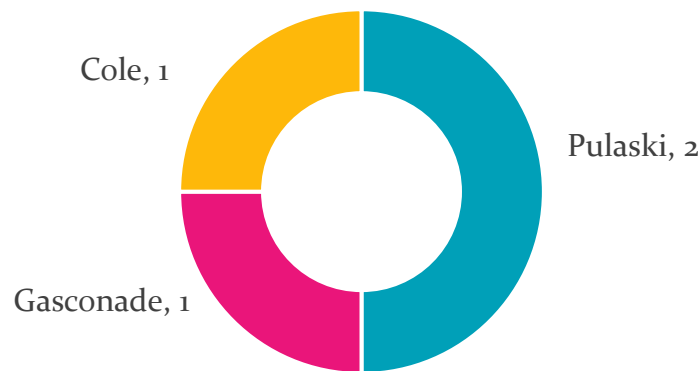
### 2019/2020 Missouri Business Survey Analysis

#### Sample and Methods

In December 2019, MO DED sent a survey to local businesses to obtain additional details regarding the impacts on their businesses, the costs of the 2017 disaster, and the types of mitigation activities they would like to see implemented in their areas. The survey was implemented via Google Forms and sent via email to potential participants.

The survey received four responses from businesses, all of which were in State MID counties.

Figure 1. Respondents by County



The types of businesses that responded to the survey were diverse, including one of each of the following:

- Low-income Housing
- Health Provider
- Family Entertainment Center
- Commercial Retail

The results of the quantitative survey questions were analyzed using simple descriptive statistics and are presented by survey question below.

#### Disaster Impact

Of the four respondents, three indicated that their business was affected by the 2017 disaster. All three cited lost accessibility to business for customers, while wind damage, flooding, and water damage were also reported. Two businesses reported approximately \$100,000 in damage or lost revenue, while one business reported less than \$10,000 in damage and lost revenue. None of the three businesses reported receiving assistance from the SBA for this disaster event.

Figure 2. Types of Damage

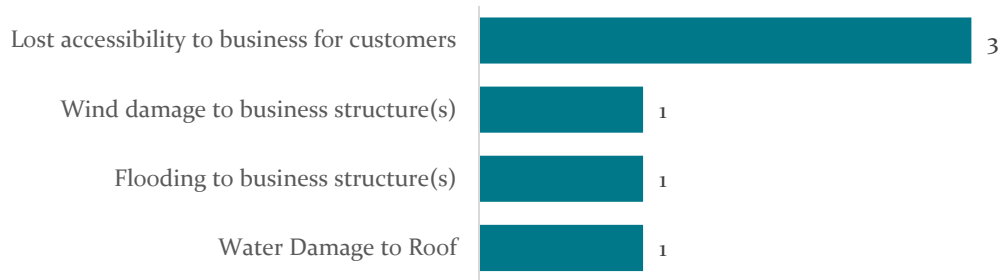
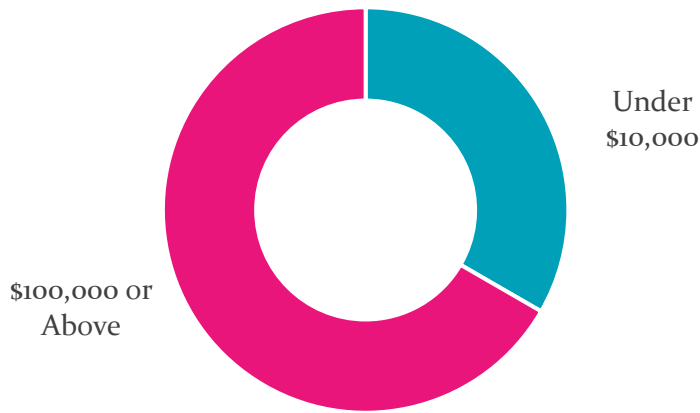


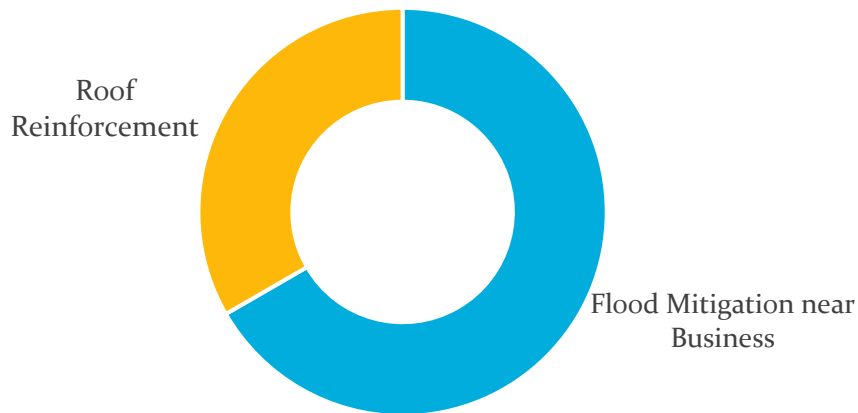
Figure 3. Amount of Damage



**What type of mitigation activity would make your business more resilient for similar future disasters?**

Of the three respondents who experienced impacts from the 2017 disaster, two of them selected flood mitigation as a mitigation activity that would improve their resiliency. One business selected roof reinforcement.

Figure 4. Types of Mitigation Activities



## Appendix 3: Citizen Participation Plan

### STATE OF MISSOURI CITIZEN PARTICIPATION PLAN FOR STATE CDBG, CDBG-CV, CDBG-DR, AND CDBG-MIT

#### 1. Purpose

The State of Missouri has adopted a Citizen Participation Plan (CPP) that sets forth the State's procedures for citizen participation in the development and implementation of HUD-funded activities and programs. The development of Action Plans, Consolidated Plans, and Substantial Amendments to the Consolidated Plan and Action Plans for State CDBG, CDBG-CV, CDBG-DR, and CDBG-MIT, and the Assessment of Fair Housing (AFH) will require public notice and engagement.

The State of Missouri constructed a thorough CPP that encourages citizens to participate in the development of the following:

- Five-Year Consolidated Plan (State HUD Programs)
- Annual Action Plans and Substantial Amendments (State HUD Programs)
- Action Plans and Substantial Amendments for COVID-19 (State CDBG-CV Programs)
- Assessment of Fair Housing
- Mitigation Action Plan (CDBG-MIT Programs)
- Disaster Recovery Action Plan (CDBG-DR Programs)

The Citizen Participation Plan was developed in accordance with the requirements listed in 24 CFR Part 91.115 (Citizen Participation Plan for States) and HUD requirements contained in the related Federal Register Notices allocating funds for disaster recovery and mitigation. These requirements are designed to encourage participation by LMI persons, particularly those living in blighted areas and/or disaster impacted communities, and those living in areas where CDBG, CDBG-DR, and CDBG-MIT funds are proposed to be used. The plan provides citizens (including minorities, disabled, and persons with limited English proficiency); units of local government, tribes, Continuums of Care, organizations (including businesses, developers, nonprofit organizations, philanthropic organizations, and community-based and faith-based organizations); and other interested parties with a reasonable opportunity to comment on the plan and encourages them to do so.

#### 2. Outreach

The Missouri Department of Economic Development (DED), as the Lead Agency for the State of Missouri HUD grants, will ensure that HUD requirements for citizen engagement are met. Prior to release and following publication of any plan (Draft Consolidated Plan, Action Plans, or AFH), the State will use several techniques to encourage a shared vision of change for the community and the review of program performance. The techniques are

clarified throughout the Citizen Participation Plan. In summary, they include the following:

- Informational Meetings and Public Hearings
- Webinars
- Postings on DED and Missouri Housing Development Commission (MHDC) websites
- DED and MHDC community emails
- Notices provided to local governments and other local partners via Missouri's RPCs/COGs, the Missouri Municipal League, and the Missouri Association of Counties

The Disaster Recovery and Mitigation Action Plans will also be supported by the following:

- Postings and notices on the DED website
- Formation of one or more Citizen Advisory Committees
- Formal invitation to key stakeholders, including any separate agency of the jurisdiction that is responsible for the development of the FEMA Hazard Mitigation Plan, including the State Hazard Mitigation Officer

The State of Missouri will make the CPP available to the public to offer its citizens and UGLGs with a reasonable opportunity to comment on the CPP and any subsequent substantial amendments.

### 3. Citizen Participation Plan and Accessibility for CDBG, CDBG-CV, CDBG-DR, AND CDBG-MIT

To ensure that minorities and persons with disabilities have prior notice and access to the public hearings, DED will take the following actions:

- Announce public hearings to organization that represent minorities and persons with disabilities at least 10 days prior to the public hearing date(s).<sup>62</sup>
- Include a statement in public hearing notices indicating that attendees may request language interpretation to assist with their participation.
- Include a statement in public hearing notices that the location of the meeting is accessible to persons with physical disabilities.
- Include a statement in public hearing notices that attendees can request reasonable accommodations from the State in order to participate in the meeting.

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<sup>62</sup> An exception will be made to the 10-day timeframe when exercising CARES Act flexibilities, which allow a 5-day public comment period.

- Notify organizations representing minorities that every reasonable effort will be made to translate documents, including access to Google Translate on the State's website.

Residents who require special accommodations to attend the hearing should contact the State by emailing Marcy Mealy, [mocdbg@ded.mo.gov](mailto:mocdbg@ded.mo.gov) and/or calling 1-800-253-0609 to make advance arrangements. For hearings that are held in areas that meet the minimum threshold for limited English proficiency (LEP) accommodations, translations will be provided.

DED provides guidance to its units of local government (UGLG) on developing a local language access plan (LAP). This guidance is provided as Attachment A of this document. Provisions for interpretation shall be made for LEP residents to encourage and ensure meaningful access to participation for public hearings, communication materials, websites, and public comments.

#### 4. Regular State CDBG Consolidated Plan and Annual Action Plan – Public Notice and Comment Period

Every 5 years, the State of Missouri completes a Consolidated Plan for its HUD-funded programs. The Consolidated Plan is carried out through Annual Action Plans, which provide a concise summary of the actions, activities, and the specific Federal and non-Federal resources that will be used each year to address the priority needs and specific goals identified by the Consolidated Plan. Before the State adopts the Consolidated Plan, residents, public agencies, and other interested parties are given access to information about the programs involved in the plan, including the following:

- Amount of assistance the State expects to receive
- Range of activities that may be undertaken, including the estimated amount that will benefit LMI persons
- Plans to minimize the displacement of persons and to assist any persons displaced

Prior to beginning the Consolidated Plan or Annual Action Plan process, the State will hold a meeting to inform the public and interested parties about the upcoming Consolidated Plan/Action Plan process approximately 45 days prior to the release of the draft plans each year.

The State will provide notice of this meeting via the following methods:

- Notice posted on DED and Missouri Housing Development Commission websites
- Notices provided to local governments and other local partners via Missouri's RPCs/COGs, the Missouri Municipal League, and the Missouri Association of Counties
- DED community group emails (approximately 4,000 communities and community organizations statewide)
- Missouri Housing Development Commission community group emails
- State's public housing agencies
- Missouri Commission on Human Rights
- State's community action agencies

##### *Publishing the Plan with Reasonable Opportunity for Public Review*

The State will make every effort to publish the proposed Consolidated Plan in a manner that affords residents, UGLGs, public agencies, and other interested parties a reasonable opportunity to examine its contents and to submit comments.

##### *Website*

To notify the public about the plan's availability, DED will post the CDBG Consolidated Plan and subsequent Annual Action Plans on the State CDBG web page at [www.ded.mo.gov](http://www.ded.mo.gov).

Additional public notification is provided via newsletter, press release, direct email, and through partnering associations such as the Missouri Municipal League and Missouri Association of Counties. The plan and a schedule of upcoming public hearings are sent to other partner State agencies via email to identify the locations where the plans will be available for review. The announcement will also explain that interested parties are given a reasonable opportunity to examine the contents of the plans and submit comments. The State will provide a free copy of the plans to interested parties upon request and will make the plan available during the hearings. A press release will be issued statewide, notifying the public about the Action Plan or Consolidated Plan process, the opportunity to review the plan, and the schedule of public hearings.

### *Public Hearings*

The State will conduct at least one “in-person” public meeting in Jefferson City during the 30-day comment period<sup>63</sup> and will conduct another public meeting via webinar. Instructions on joining a webinar will be provided in the public hearing notices.

All public hearings will be scheduled at times and locations most likely to make it possible for the majority of impacted persons to attend without undue inconvenience. Hearings will be held at locations that meet the Americans with Disabilities Act requirements. All hearings will be promoted through a statewide press release, posting on the CDBG website, and notices placed in newspapers in geographic proximity to the location of the hearing.

### *Time Period for Comments*

The State provides approximately 30 days to receive comments from residents and units of local government on the plans (Consolidated Plan, Action Plan, and AFH). During that period, the State schedules at least four public hearings around the State to present the content of the plan (Consolidated Plan, Action Plan, and AFH) and receive and record comments from the public.

The plan will be available on the DED website at [www.ded.mo.gov](http://www.ded.mo.gov) and the MHDC website at [www.mhdc.com](http://www.mhdc.com).

### *Consideration of Public Comments*

The State considers any comments or views of residents and UGLGs received in writing or orally at the public hearings, and also during the 30-day comment period in preparing the final consolidated plan. A summary of these comments, including those not accepted and the reasons, will be attached to the final AFH, Action Plan, or Consolidated Plan.

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<sup>63</sup> Subject to CDC guidance for COVID-19.



### *Substantial Amendment*

Substantial amendments to either the Action Plan, Consolidated Plan, or AFH requires public notice. The thresholds for a substantial amendment are as follows:

- Action Plan or Consolidated Plan – An amendment shall be considered substantial (requiring public notification and a comment period) in the following events:
  - Adding a new funding source to the plan
  - Annual allocations from HUD differ more than 10% of the projected amount
  - New funding category is created or more than 25% of the annual allocation is transferred between funding categories for the CDBG program
- Assessment of Fair Housing (AFH) – An amendment shall be considered substantial (requiring public notification and a comment period) in the following events:
  - A material change in circumstances that affects the information on which the AFH is based. Examples include, but are not limited to, a Presidentially Declared Disaster event that is of such a nature to impact the steps required to affirmatively further fair housing; significant demographic changes; new significant contributing factors in the State’s jurisdiction; and civil rights findings, determinations, settlements, or court orders.

The State will provide public notice of substantial amendments to the plan and the subsequent hearings via the following methods:

- Notice posted on DED website at [www.ded.mo.gov](http://www.ded.mo.gov) and the MHDC website at [www.mhdc.com](http://www.mhdc.com)
- Notices provided to local governments and other local partners via Missouri’s RPCs/COGs, the Missouri Municipal League, and the Missouri Association of Counties
- DED community group emails (approximately 4,000 communities and community organizations statewide)
- Missouri Housing Development Commission community group emails
- State’s public housing agencies
- Missouri Commission on Human Rights
- State’s community action agencies

The State provides approximately 30 days to receive comments from residents and units of local government on the substantial amendments of the plan (Consolidated Plan, Action Plans, and AFH).

- Written comments may be submitted by mail at **P.O. Box 118, Jefferson City, MO 65109** and/or email at [mocdbg@ded.mo.gov](mailto:mocdbg@ded.mo.gov) at any time during the public comment period, and may be directed to any of the State participating agencies (departments of Economic Development, Health and Senior Services, and Social Services) and the Missouri Housing Development Commission.

The State considers any comments or views of residents and UGLGs received in writing or orally at the public hearings in preparing the substantial amendment of the plans (Consolidated Plan, Action Plans, and AFH). A summary of these comments, including those not accepted and the reasons, will be attached to the final AFH, action plan, or consolidated plan.

### *Performance Reports*

The State provides reasonable notice and an opportunity to comment on performance reports made by the programs involved with the Consolidated Plan and the Annual Action Plan. Data contained in the performance reports are compiled and sent out approximately 2 months after the end of the program year. The program year associated with the Consolidated Plan ends on March 31 of each year.

Copies of the actual performance reports are available electronically, posted on the CDBG website, and notice of the posting is sent to 20 public agencies around the State. The public is provided with a 30-day comment period and may submit written comments by mail at **P.O. Box 118, Jefferson City, MO 65109** and/or email at [mocdbg@ded.mo.gov](mailto:mocdbg@ded.mo.gov) at any time during the public comment period.

Comments received on the performance reports are recorded, and a summary of the comments is attached to the performance report, which is submitted no later than June 1 for the Consolidated Plan.

### *Requirements for Local Governments Receiving State CDBG Funds*

Local government recipients of CDBG funds must comply with the State Citizen Participation Plan requirements as found in 24 CFR 570 and Chapter 610 of Missouri's Open Record Law. All applicants and recipients of grant/loan funds shall be required to conduct all aspects of the program in an open manner with access to records on the proposed and actual use of funds for all interested persons. All records of applications and grants must be kept at the recipient's offices and be available during normal business hours. Any activity of the grantee regarding the CDBG project, with the exception of confidential matters related to housing and economic development programs, shall be open to examination by all citizens.

The applicant/recipient must provide technical assistance to groups representative of LMI persons that request such assistance in developing proposals at the level of expertise available at governing offices. All application materials and instructions shall be provided at no cost to any such group requesting them.

Residents shall be provided with adequate and timely information to enable them to be meaningfully involved in important decisions at various stages of the program, including the following.

### *Two Public Hearings Required*

The public hearing requirements must address the items below:

- Determination of needs.
- Review of proposed activities.
- Review of past program performance.

### Public Hearing Requirements:

- a. At least two public hearings shall be scheduled at times and locations felt to be most likely to make it possible for the majority of impacted persons to attend without undue inconvenience, addressing the three items above. At least one hearing must be held to address items 1 and 2 above prior to the submission of the application for housing and/or non-housing needs. Item 3 must be addressed in a public hearing to review recipient performance in a previous program and must occur prior to closeout of any loan or grant for which performance evaluation has not occurred in a previous hearing.
- b. Notification of any and all hearings shall be given a minimum of 5 full days in advance to allow citizens the opportunity to schedule their attendance. Notification shall be in the form of display advertisements in the local newspaper with the greatest distribution. Additional advertisement may be conducted by posting letters, flyers, and any other forms which seem practical; however, publication is required.
- c. All hearings must be accessible to persons with disabilities. Provisions for interpretation shall be made at all public hearings for LEP residents if such residents are expected to be in attendance.

### *Action Plan Availability to the Public*

The State will provide the Consolidated Plan and Annual Action Plan, as adopted; substantial amendments; and the performance reports to the public. These documents are made available to the public electronically at [www.ded.mo.gov](http://www.ded.mo.gov) and the MHDC website at [www.mhdc.com](http://www.mhdc.com).

The Action Plan and substantial amendments are made available at public hearings. All documents related to the Consolidated Plan are available upon request and will be provided to anyone requesting them. Materials will be provided in a form accessible to persons with disabilities or limited English proficiency (LEP) upon request. Requests may be made by email to Marcy Mealy at [mocdbg@ded.mo.gov](mailto:mocdbg@ded.mo.gov) or by calling 1-800-253-0609.

### *Access to Records*

Residents, public agencies, and other interested parties are given reasonable and timely access to the information and records related to the State's CDBG Action Plan and the State's use of assistance under the programs covered by the plan per 24 CFR 570.508. Presentation materials, resources used to compile the information in the plan, comments compiled at public hearings, and all other related materials from the previous 5 years are available to the public upon request. Requests may be made by email to [ecodev@ded.mo.gov](mailto:ecodev@ded.mo.gov) or by calling Marcy Mealy at 1-800-253-0609.

### *Complaints*

Citizens who wish to voice a complaint related to the published Action Plan, any substantial amendments to the Action Plan, performance reports, or other issues related to CDBG-funded activities may do so through the contact provided below.

**Complaints should be sent in writing to:**

Candace Buford, Program Coordination Specialist  
P.O. Box 118  
Jefferson City, MO 65109  
[mocdbg@ded.mo.gov](mailto:mocdbg@ded.mo.gov)  
1-800-253-0609

DED will provide a timely, written response to all written citizen complaints. The response to a complaint will be provided within 15 business days of receipt of the complaint.

**Complaints regarding fraud, waste, or abuse of government funds will be forwarded to the HUD OIG Fraud Hotline (phone: 1-800-347-3735 or email: [hotline@hudoig.gov](mailto:hotline@hudoig.gov)).**

Complaints regarding accessibility can be reported to the State's Section 504 Coordinator. Plan publication efforts must meet the effective communications requirements of 24 CFR 8.6 and other fair housing and civil rights requirements, such as the effective communication requirements under the Americans with Disabilities Act.

**State Section 504 Accessibility Coordinator:**

Amy Werner, Compliance Specialist  
Missouri Department of Economic Development  
301 W. High Street, Suite 700  
P.O. Box 118  
Jefferson City, MO 65102  
573-751-2039  
[mocdbg@ded.mo.gov](mailto:mocdbg@ded.mo.gov)

### *Use of the Citizen Participation Plan*

The State will follow the Citizen Participation Plan in full and to the best ability possible, as described above.

### **State CDBG 2019/2020 CARES Act Flexibilities**

DED will implement the following guidance from HUD regarding new flexibilities under the CARES Act. The Coronavirus Aid, Relief and Economic Security Act (CARES Act, Public Law 116-136) makes available \$5 billion in supplemental CDBG funding for grants to prevent, prepare for, and respond to coronavirus (CDBG-CV grants). In addition, the CARES Act provides CDBG grantees with flexibilities that make it easier to use CDBG-CV grants and fiscal years 2019 and 2020 CDBG grants for coronavirus response, and authorizes HUD to grant waivers and alternative requirements.

HUD has advised grantees (including the State of Missouri) to amend or prepare their plans as soon as possible and not to wait for the pending Federal Register Notice, which may provide additional waivers and alternative requirements. Similarly, grantees should not wait for HUD to allocate the remaining nearly \$3 billion of the \$5 billion provided by the CARES Act for the CDBG program. Upon publication of the Federal Register Notice and subsequent allocations, grantees receiving allocations will then amend their plans accordingly.

To expedite grantees' use of CDBG-CV funds, HUD is waiving the requirements at 42 U.S.C. 12705(a)(2) to the extent that it requires updates to the housing and homeless needs assessment, housing market analysis, and strategic plan, and 24 CFR 91.220 and 91.320 to the extent that the action plan is limited to a specific program year to permit grantees to prepare substantial amendments to their most recent annual action plan, including their 2019 annual action plan. Grantees must identify the proposed use of all funds and how the funds will be used to prevent, prepare for, and respond to coronavirus.

DED is also waiving 24 CFR 91.505 to facilitate the use of the CDBG-CV funds to the extent necessary to require submission of the substantial amendment to HUD for review in accordance with 24 CFR 91.500. To receive a CDBG-CV grant, a grantee must also submit SF-424, SF-424D, and the certifications at 24 CFR 91.225(a) and (b) or 24 CFR 91.325(a) and (b).

**Citizen Participation and Public Hearings for Consolidated Plans (Including Action Plans)<sup>64</sup>**

Description of Program Flexibility	Applicability to CDBG-CV and CDBG Grants		
Provides that grantees may amend citizen participation plans to establish expedited procedures to draft, propose, or amend consolidated plans. Expedited procedures must include notice and reasonable opportunity to comment of no less than 5 days. The 5-day period can run concurrently for comments on the action plan amendment and amended citizen participation plans.	CDBG-CV	Immediately Available	
In-person public hearings are not required. Grantees may meet public hearing requirements with virtual public hearings if: 1) national/local health authorities recommend social distancing and limiting public gatherings for public health reasons; and 2) virtual hearings provide reasonable notification and access for citizens in accordance with the grantee’s certifications, timely responses from local officials to all citizen questions and issues, and public access to all questions and responses.	CDBG FYs 2019 and 2020	Immediately Available	
access to all questions and responses.	CDBG Grants Before FY 2019		Not Available

*Time Period for Comments*

The State will provide a minimum of 5 days for public comments for substantial amendments to the 2019/2020 CDBG Action Plans when using CDBG funds to respond to public health emergencies caused by COVID-19.

*Consideration of Public Comments*

The State considers any comments or views of residents and UGLGs received during the public comment period. A summary of these comments, including those not accepted and the reasons, will be attached to the final Action Plan or Consolidated Plan.

*Public Hearings*

Public hearings are not required for these funds. However, if the State were to determine that a public hearing would be in the best interests of the State and its residents, the public hearing will be held virtually and in compliance with the guidance above.

<sup>64</sup> CARES Act Flexibilities for CDBG Funds Used to Support Coronavirus Response and Plan Amendment Waiver, HUD Memorandum, April 9, 2020

## 5. State CDBG-CV Action Plan and Amendments (TBD)

Further waivers or alternative requirements will be announced in the Federal Register Notice for the CARES Act and will detail specific requirements for CDBG-CV. Until further direction is provided by HUD, CDBG-CV public participation will follow the guidance above.

## 6. CDBG-DR Action Plans – Public Notice and Comment Periods

The State of Missouri is also the recipient of HUD CDBG-DR funds allocated through Federal Register Notices in response to federally declared disasters in 2017 and 2019. These notices state that citizen participation is to follow the requirements for the Federal Register Notice issued August 14, 2018 (83 FR 40314). The Federal Register Notice waives regular citizen participation requirements and states the requirements for notifying the public regarding use of the disaster CDBG funds (CDBG-DR).

### **CDBG-DR Citizen Participation Waiver (83 FR 40314, August 14, 2018)**

Citizen participation waiver and alternative requirement: To permit a more streamlined process and ensure that disaster recovery grants are awarded in a timely manner, the provisions of 42 U.S.C. 5304(a)(2) and (3), 42 U.S.C. 12707, 24 CFR 570.486, 24 CFR 1003.604, and 24 CFR 91.115(b) and (c), with respect to citizen participation requirements, are waived and replaced by the requirements below. The streamlined requirements do not mandate public hearings, but do require the grantee to provide a reasonable opportunity (at least 30 days) for citizen comment and ongoing citizen access to information about the use of grant funds. The streamlined citizen participation requirements for a grant under this notice include the following:

- Publication of the action plan, opportunity for public comment, and substantial amendment criteria: Before the grantee adopts the action plan for this grant or any substantial amendment to the action plan, the grantee will publish the proposed plan or amendment. The manner of publication must include prominent posting on the grantee's official website and must afford citizens, affected local governments, and other interested parties a reasonable opportunity to examine the plan or amendment's contents. The topic of disaster recovery should be navigable by citizens from the grantee's (or relevant agency's) homepage. Grantees are also encouraged to notify affected citizens through electronic mailings, press releases, statements by public officials, media advertisements, public service announcements, and/or contacts with neighborhood organizations. Plan publication efforts must meet the effective communications requirements of 24 CFR 8.6 and other fair housing and civil rights requirements, such as the effective communication requirements under the Americans with Disabilities Act.

### **CDBG-DR Action Plan**

DED will post the draft CDBG-DR Action Plan or any substantial amendment for at least 30 days of public comment on the CDBG-DR website at <https://ded.mo.gov/DisasterRecovery>. Notice of all hearings will be posted a minimum of 10 business days prior to public hearings.

The State makes every effort to publish the draft CDBG-DR Action Plan in a manner that affords citizens, UGLGs, public agencies, and other interested parties a reasonable



opportunity to examine its contents and to submit comments. The plan will remain available on the DED website at <https://ded.mo.gov/DisasterRecovery>.

To notify the public about the plan's availability, public notification is provided via newsletter, press release, direct email, and via partnering associations such as the Missouri Municipal League and Missouri Association of Counties. The plan is also sent to other partner State agencies. The public announcement explains that interested parties are given a reasonable opportunity to examine the contents of the plans and submit comments, and the State will also provide a copy of the plans to interested parties upon request.

- The State will make the plan available for a **minimum 30-day comment period**.

The State considers any comments or views of citizens and UGLGs received in writing or orally in preparing the final CDBG-DR Action Plan. A summary of these comments, including those not accepted and the reasons, will be attached to the final CDBG-DR Action Plan.

#### *Website*

To notify the public about the CDBG-DR Plan's availability, DED will post the CDBG-DR Action Plan and substantial amendments on the CDBG-DR web page at <https://ded.mo.gov/DisasterRecovery>. The CDBG-DR web page is linked to the State's main website at <https://ded.mo.gov/> and the CDBG-MIT web page at <https://ded.mo.gov/programs/cdbg/mitigation>. For further information regarding website content, see Attachment C, Website Policy.

In addition, public notification is provided via newsletter, press release, direct email, and via partnering associations such as the Missouri Municipal League and Missouri Association of Counties. The plan is also sent to other partner State agencies and via email to identify the locations where the plans will be available, as well as a schedule of upcoming public hearings. The announcement will also explain that interested parties are given a reasonable opportunity to examine the contents of the plans and submit comments. The State will provide a free copy of the plans to interested parties upon request and will make the plan available during the hearings. A press release will be issued statewide, notifying the public about the Action Plan or Consolidated Plan process, the opportunity to review the plan, and the schedule of public hearings.

#### *Public Hearings*

Per the Federal Register's streamlined approach for CDBG-DR, public hearings are not required during the 30-day comment period. The State may determine a public hearing(s) regarding the CDBG-DR funds is warranted for the purposes of more comprehensive public involvement. If a public hearing is to be held regarding the use of the CDBG-DR funds or a substantial amendment, the process below will be followed.

All public hearings will be held at a time and accessible location convenient to potential and actual beneficiaries, and with accommodations for persons with disabilities or limited English proficiency (LEP). Both in-person and webinar-hosted hearings will be promoted through a statewide press release, posting on the CDBG-DR website, and notices placed in newspapers in geographic proximity to the location of the hearing for at least 10 business days prior to the hearing.

#### *Time Period for Comments*

The State provides at least 30 days for public comment from residents and units of local government on the CDBG-DR Action Plan.

The plan will be available on the DED CDBG-DR website at <https://ded.mo.gov/DisasterRecovery> and the MHDC website at [www.mhdc.com](http://www.mhdc.com).

#### *Consideration of Comments*

The State considers any comments or views of residents and UGLGs received in writing or orally in preparing the final CDBG-DR Action Plan. A summary of these comments will be attached to the final Action Plan or substantial amendment.

#### *Substantial Amendment*

Substantial amendments to the CDBG-DR Action Plan will require at least 30 days of public notice. The public notice will be made in the same manner as prescribed in this document. The thresholds for a substantial amendment are as follows:

CDBG-DR Action Plan – An amendment shall be considered substantial (requiring public notification and a comment period) in the following events:

- New funding source will be added to the plan  
Addition or deletion of an activity
- Change in program benefit or eligibility criteria
- Allocation for a new funding category or reallocation of a monetary threshold more than 25% of the allocation transferred between funding categories not to exceed HUD-established maximums

#### *Requirements for Local Governments Receiving CDBG-DR Funds*

Recipients of CDBG-DR funds must comply with the State Citizen Participation Plan requirements as found in 24 CFR 570. All applicants and recipients of grant/loan funds shall be required to conduct all aspects of the program in an open manner with access to records on the proposed and actual use of funds for all interested persons. All records of applications and grants must be kept at the recipient's offices and be available during normal business hours. Any activity of the grantee regarding the CDBG-DR project, except for confidential matters related to housing and economic development programs, shall be open to examination by all citizens.

The applicant/recipient must provide technical assistance to groups representative of LMI persons that request such assistance in developing proposals at the level of expertise available at governing offices. All application materials and instructions shall be provided at no cost to any such group requesting them. Citizens shall be provided with adequate and timely information to enable them to be meaningfully involved in important decisions at the various stages of the program, including at least the determination of needs, the review of the proposed activities, and the review of past program performance, in the following manner:

1. At least one public hearing shall be held prior to the submission of an application for housing and/or non-housing needs being submitted to the State for funding through the CDBG-DR program. Hearings shall be scheduled at a time and location felt to be most likely for the majority of interested citizens to attend without undue inconvenience. The development of needs and review of the proposed activities and their possible environmental impacts must be addressed at this hearing as reflected by the minutes of the hearing. The hearing cannot be more than 6 months prior to application submittal.
  - a. The second required hearing is held to address the performance on the funded grant at a minimum of 80% completion. The review of performance (during the grant) must be addressed in a public hearing prior to grant closeout. Proof of said hearing will be part of closeout documentation.
2. Notification of all hearings shall be given a minimum of 5 full days (actually 7 days, as the day of the notice and the day of the hearing cannot be counted as one of the 5 full days) in advance to allow citizens the opportunity to schedule their attendance. Notification shall be in the form of display advertisements in the local newspaper with the greatest distribution, and/or by posting letters, flyers, and any other forms that are clearly documented with wide circulation.
  - a. All hearings must be accessible to handicapped persons. Provisions for interpretation shall be made at all public hearings for limited English proficiency residents if such residents are expected to be in attendance. The chief elected official's office shall receive and relate to appropriate persons or groups any views or proposals submitted to aforesaid office within the decision-making time. Any criticism submitted in writing at any time should be answered in writing within 15 working days by the chief elected official's office. If the complaint is not resolved, it shall be referred to the governing body for final disposition.

### Availability to the Public

The State will provide the CDBG-DR Action Plan, as adopted; substantial amendments; and the performance reports to the public, including materials in a form accessible to persons with disabilities upon request. These documents are made available to the public electronically at <https://ded.mo.gov/DisasterRecovery>.

### *Access to Records*

Citizens, public agencies, and other interested parties are given reasonable and timely access to the information and records related to the State's CDBG-DR Action Plan and the State's use of assistance under the programs covered by the plan. Presentation materials, resources used to compile the information in the plan, comments compiled at public hearings, and all other related materials are available to the public upon request. Requests may be made by email to [ecodev@ded.mo.gov](mailto:ecodev@ded.mo.gov) or by calling Marcy Mealy at 1-800-253-0609.

### *Complaints*

To comply with the requirements regarding complaints, the State has designated an appropriate and practicable procedure to handle complaints from residents related to the CDBG-DR Action Plan, substantial amendments, and performance reports. Upon receiving a complaint, the State will provide a timely, substantive written response to written citizen complains within a 15 working days.

**Complaints should be sent in writing to:**

Candace Buford, Program Coordination Specialist  
P.O. Box 118  
Jefferson City, MO 65109  
[mocdbg@ded.mo.gov](mailto:mocdbg@ded.mo.gov)  
1-800-253-0609

**Complaints regarding fraud, waste, or abuse of government funds will be forwarded to the HUD OIG Fraud Hotline (phone: 1-800-347-3735 or email: [hotline@hudoig.gov](mailto:hotline@hudoig.gov)).**

Complaints regarding accessibility can be reported to the State's Section 504 Coordinator. Plan publication efforts must meet the effective communications requirements of 24 CFR 8.6 and other fair housing and civil rights requirements, such as the effective communication requirements under the Americans with Disabilities Act.

**State Section 504 Accessibility Coordinator:**

Amy Werner, Compliance Specialist  
Missouri Department of Economic Development  
301 W. High Street, Suite 700  
P.O. Box 118  
Jefferson City, MO 65102  
573-751-2039  
[mocdbg@ded.mo.gov](mailto:mocdbg@ded.mo.gov)

### *Use of the Citizen Participation Plan*

The State will follow the Citizen Participation Plan in full and to the best ability possible, as described above.

## 7. CDBG-MIT Action Plans – Public Notice and Comment Period

The State of Missouri has been allocated CDBG-MIT funds for mitigation activities to address identified risks resulting from the 2017 Federally declared disasters (DR-4317). Activities funded with the CDBG-MIT funds must meet HUD’s definition of mitigation and 50% of funds must be expended in the HUD identified “most impacted and distressed (MID)” ZIP codes identified below. The CDBG-MIT Federal Register Notice provided the waiver and requirements cited below regarding citizen participation for the CDBG-MIT funds.

### **CDBG-MIT Citizen Participation Waiver (84 FR 45838)**

To permit a more robust process and ensure that mitigation activities are developed through methods that allow all stakeholders to participate, and because citizens recovering from disasters are best suited to ensure that grantees will be advised of any missed opportunities and additional risks that need to be addressed, the provisions of 42 U.S.C. 5304(a)(2) and (3); 42 U.S.C. 12707; 24 CFR 570.486; 24 CFR § 91.105(b) and (c); and 24 CFR 91.115(b) and (c), with respect to citizen participation requirements, are waived and replaced by the requirements below. These revised requirements mandate public hearings (the number of which is based on the amount of a grantee’s CDBG-MIT allocation) across the HUD-identified MID areas and require the grantee to provide a reasonable opportunity (at least 45 days) for citizen comment and ongoing citizen access to information about the use of grant funds.

### **HUD-Identified Most Impacted and Distressed Areas from the 2017 Disasters (DR-4317)**



<b>HUD MID ZIP Codes</b>	63935, 63965, 64850, 65616, 65775
<b>HUD MID Counties</b>	Carter, Douglas,* Howell, McDonald,* Newton, Reynolds,* Ripley, Taney

\* Adjacent to a county primarily containing MIDs, but contains a small section of MID ZIP codes as well. To prevent exclusion in analysis, these counties are also considered MID counties.

*Remaining Counties Adversely Affected and Eligible for CDBG-MIT Under DR-4317*

<b>State MID Counties</b>	Barry, Barton, Bollinger, Boone, Butler, Camden, Cape Girardeau, Cedar, Christian, Cole, Crawford, Dade, Dallas, Dent, Dunklin, Franklin, Gasconade, Greene, Iron, Jasper, Jefferson, Lawrence, Madison, Maries, Miller, Mississippi, Morgan, New Madrid, Oregon, Osage, Ozark, Pemiscot, Perry, Phelps, Pike, Pulaski, Ralls, Scott, Shannon, St. Louis, Ste. Genevieve, Stone, Texas, Washington, Wayne, Webster, Wright
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**CDBG-MIT Action Plan Development**

DED will provide one or more opportunities for residents in the HUD-identified MIDs to ask questions and provide input into the development of the CDBG-MIT Draft Action Plan prior to being published on the CDBG-MIT website for public comment. The CDBG-MIT web page is located at <https://ded.mo.gov/programs/cdbg/mitigation>.

To notify the public about the opportunity to ask questions or provide input during the development of the Draft CDBG-MIT Action Plan, public notification is provided via newsletter, press release, direct email, and via partnering associations such as the Missouri Municipal League, Missouri Association of Councils of Government, and Missouri Association of Counties. The plan is also sent to other partner State agencies and tribes. The public announcement explains that the public will be provided with an overview of the purpose of the CDBG-MIT funds and their intended use. Interested parties are given a reasonable opportunity to provide input through written and oral options. Notice of all hearings will be posted a minimum of 10 business days prior to public hearings.

**CDBG-MIT Action Plan**

DED will post the Draft CDBG-MIT Action Plan for at least 45 days of public comment on the CDBG-MIT web page at <https://ded.mo.gov/mitigation>, which is linked to the State of Missouri’s main CDBG-DR disaster website located at <https://ded.mo.gov/DisasterRecovery>.

In addition, to notify the public about CDBG-MIT Action Plan availability, public notification is provided via newsletter, press release, direct email, and via partnering associations such as the Missouri Municipal League and Missouri Association of Counties. The plan is also sent to other partner State agencies. The public announcement explains that interested parties are given a reasonable opportunity to examine the contents of the plan and submit comments as the State will also provide a copy of the plan to interested parties upon request.

- The State will make the plan available for a **minimum 45-day comment period**.

All plan publication efforts and public hearings will comply with civil rights requirements, including meeting the effective communications requirements under Section 504 of the Rehabilitation Act (see 24 CFR 8.6) and the Americans with Disabilities Act (see 28 CFR 35.160), and must provide meaningful access for persons with limited English proficiency (LEP) (see Attachment A for the State's LEP Plan and Guidance).

The State considers any comments or views of citizens and UGLGs received in writing or orally in preparing the final CDBG-MIT Action Plan. A summary of these comments, including those not accepted and the reasons, therefore, will be attached to the final CDBG-MIT Action Plan.

### *Website*

To notify the public about the CDBG-MIT Action Plan's availability, DED will post the plan on the State's CDBG-MIT web page at <https://ded.mo.gov/mitigation>. The CDBG-MIT web page is linked to the State's CDBG-DR website at <https://ded.mo.gov/DisasterRecovery> and the main State CDBG web page at <http://www.ded.mo.gov>. For further information regarding the website content, see Attachment C, Website Policy.

In addition, public notification is provided via newsletter, press release, direct email, and via partnering associations such as the Missouri Association of Council of Governments (RPCs/COGs), Missouri Municipal League, and Missouri Association of Counties. The plan is also sent to other partner State agencies and via email to identify locations where the plan will be available, as well as a schedule of upcoming public hearings. The announcement will also explain that interested parties are given a reasonable opportunity to examine the contents of the plan and submit comments. The State will provide a free copy of the plan to interested parties upon request and will make the plan available during the hearings. A press release will be issued statewide, notifying the public about the CDBG-MIT Action Plan process, the opportunity to review the plan, and the schedule of public hearings.

### *Public Hearings*

The State will conduct at least one pre-draft public hearing in the HUD MIDs prior to publishing the Draft CDBG-MIT Action Plan. After the Draft CDBG-MIT Action Plan is posted, there will be a 45-day comment period and the State will conduct at least one



public hearing in a different location within the HUD MIDs. Additional hearings, which may be in-person or via webinar, may be scheduled if the State determines it is beneficial for the development of the CDBG-MIT Action Plan. Instructions for joining the webinar will be provided in the public hearing notices.

All public hearings will be held at a time and accessible location convenient to potential and actual beneficiaries, and with accommodations for persons with disabilities or limited English proficiency (LEP). Both in-person and webinar-hosted hearings will be promoted through a statewide press release, posting on the CDBG-MIT website, and notices placed in newspapers in geographic proximity to the location of the hearing.

#### *Virtual Public Hearings During the COVID-19 Emergency*

HUD has provided the following flexibilities for in-person public hearings due to the COVID-19 health emergency and public social distancing requirements. If DED is concerned about significant public health risks that may result from holding in-person public hearings, CPD is interpreting public hearings in the context of the CDBG-MIT Federal Register Notice to include virtual public hearings (alone, or in concert with an in-person hearing) if it allows questions in real time, with answers coming directly from the elected representatives to all “attendees.” HUD understands the exigencies of a public health challenge and will work with grantees who make the effort to comply with citizen participation requirements and document their efforts.

Whether hearings are in-person or virtual, DED will take appropriate steps to ensure effective communication with persons with disabilities consistent with the requirements of accessibility laws, such as Section 504 of the Rehabilitation Act and the Americans with Disabilities Act. DED will provide appropriate auxiliary aides and services that are necessary to afford individuals with hearing and vision impairments an equal opportunity to access and participate in such hearings. These may include effective methods that make aurally delivered information available to individuals who are deaf or hard of hearing, and visually delivered materials available to individuals who are blind or have low vision. The type of auxiliary aid or service necessary to ensure effective communication will vary in accordance with the method of communication used by the individual; the nature, length, and complexity of the communication involved; and the context in which the communication is taking place. In determining what types of auxiliary aids and services are necessary, DED shall give primary consideration to the requests of individuals with disabilities. In order to be effective, auxiliary aids and services must be provided in accessible formats, in a timely manner, and in such a way as to protect the privacy and independence of the individual with a disability.

For *virtual hearings*, such steps will include ensuring that information is provided on an accessible website, emails and other digital notifications are accessible, and the application or platform used to host the hearing must also be accessible. Additional services, such as audio description or captioning, may also be needed to provide effective



communication in a digital context. Examples of auxiliary aids and services that may be necessary when conducting hearings online can be found at 28 CFR § 35.104. If no method of conducting a virtual hearing is available that appropriately accommodates an individual's disability, the grantee may not hold against the individual his or her inability to participate in the hearing, and an in-person hearing may be scheduled for a later date.

DED will take reasonable steps to provide meaningful access to persons with limited English proficiency consistent with Missouri's Language Access Plan, Title VI of the Civil Rights Act, and *Lau v. Nichols*, 414 US 563 (1974). DED has conducted the four-factor analysis set forth in HUD's LEP guidance, and is included in the Missouri Language Assistance Plan, recognizing that use of the internet to conduct such a hearing may change the analysis. For virtual or online hearings, such services may also include translation of documents and captioning or interpretation in the appropriate language(s).

#### *Time Period for Public Comments*

The State provides approximately 45 days to receive comments from residents and units of local government on the CDBG-MIT Action Plan. During that period, the State schedules at least one public hearing in the HUD MIDs to distribute copies of the plan and discuss the plan with the public. The public hearings give the State the opportunity to present the content of the CDBG-MIT Action Plan and receive and record comments from the public.

The plan will be available on the DED CDBG-MIT website at <https://ded.mo.gov/mitigation> and the MHDC website at [www.mhdc.com](http://www.mhdc.com).

#### *Consideration of Public Comments*

The State considers any comments or views of residents and UGLGs received in writing or orally at the public hearings, in preparing the final CDBG-MIT Action Plan. A summary of these comments, including those not accepted and the reasons, therefore, will be attached to the final CDBG-MIT Action Plan.

Substantial amendments to the CDBG-MIT Action Plan will require at least 30 days of public comment. The public notice will be made in the same manner as prescribed in this document. The thresholds for a substantial amendment are noted in the following subsections.

#### *Substantial Amendment*

Substantial amendments to the CDBG-MIT Action Plan will require public notice and posting on the CDBG-MIT website for 30 days of public comment. The public notice will be made in the same manner as prescribed in this document. The thresholds for a substantial amendment are as follows:

**CDBG-MIT Action Plan** – An amendment shall be considered “substantial” (requiring public notification and a comment period) in the following events:

- New funding source is to be added to the plan
- Addition or deletion of an activity
- Change in program benefit or eligibility criteria
- Allocation for a new funding category or reallocation of a monetary threshold more than 25% of the allocation transferred between funding categories not to exceed HUD established maximums

#### *Requirements for Local Governments Receiving CDBG-MIT Funds*

Recipients of CDBG-MIT funds must comply with the State Citizen Participation Plan requirements as found in 24 CFR 570. All applicants and recipients of grant/loan funds shall be required to conduct all aspects of the program in an open manner with access to records on the proposed and actual use of funds for all interested persons. All records of applications and grants must be kept at the recipient’s offices and be available during normal business hours. Any activity of the grantee regarding the CDBG-MIT project, except for confidential matters related to housing and economic development programs, shall be open to examination by all residents.

The applicant/recipient must provide technical assistance to groups representative of LMI persons that request such assistance in developing proposals at the level of expertise available at governing offices. All application materials and instructions shall be provided at no cost to any such group requesting them. Citizens shall be provided with adequate and timely information to enable them to be meaningfully involved in important decisions at the various stages of the program, including at least the determination of needs, the review of the proposed activities, and the review of past program performance, in the following manner:

1. At least one public hearing shall be held prior to the submission of an application for housing and/or non-housing needs being submitted to the State for funding through the CDBG-MIT program. Hearings shall be scheduled at a time and location felt to be most likely for the majority of interested citizens to attend without undue inconvenience. The development of needs and the review of the proposed activities and their possible environmental impact must be addressed at this hearing as reflected by the minutes of the hearing. The hearing cannot be more than 6 months prior to application submittal.
  - a. The second required hearing is held to address the performance on the funded grant at a minimum of 80% completion. The review of the performance (during the grant) must be addressed in a public hearing prior to grant closeout. Proof of said hearing will be part of closeout documentation.

2. Notification of all hearings shall be given a minimum of 5 full days (actually 7 days, as the day of the notice and the day of the hearing cannot be counted as one of the 5 full days) in advance to allow citizens the opportunity to schedule their attendance. Notification shall be in the form of display advertisements in the local newspaper with the greatest distribution, and/or by posting letters, flyers, and any other forms that are clearly documented with wide circulation.
  - a. All hearings must be accessible to handicapped persons. Provisions for interpretation shall be made at all public hearings for limited English proficiency residents if such residents are expected to be in attendance. The chief elected official's office shall receive and relate to appropriate persons or groups any views or proposals submitted to aforesaid office within the decision-making time. Any criticism submitted in writing at any time should be answered in writing within 15 working days by the chief elected official's office. If the complaint is not resolved, it shall be referred to the governing body for final disposition.

#### *Availability to the Public*

Upon request, DED will provide the CDBG-MIT Action Plan, as adopted; substantial amendments; use of funds; and the performance reports to the public, including materials in a form accessible to persons with disabilities. These documents are made available to the public electronically at the CDBG-MIT web page at <https://ded.mo.gov/mitigation>.

#### *CDBG-MIT Citizen Advisory Committees*

DED will form one or more CDBG-MIT Citizen Advisory Committees to meet no less than twice annually to provide increased transparency in the implementation of the CDBG-MIT funds. The committee will meet in an open forum to solicit and respond to public comment and input regarding the State's mitigation activities. The committee will serve as an ongoing public forum to continuously inform the State's CDBG-MIT projects and programs.

Notice of Citizen Advisory Committee activities, including meeting times and places, meeting materials and reports, meeting minutes, and other relevant items, will be posted on the CDBG-MIT web page at <https://ded.mo.gov/mitigation>.

#### *Access to Records*

Residents, public agencies, and other interested parties are given reasonable and timely access to the information and records related to the State's CDBG-MIT Action Plan and the State's use of assistance under the programs covered by the plan. Presentation materials, resources used to compile the information in the plan, comments compiled at public hearings, and all other related materials are available to the public upon request. Requests may be made by email to [ecodev@ded.mo.gov](mailto:ecodev@ded.mo.gov) or by calling Marcy Mealy at 1-800-253-0609.

### *Complaints*

To comply with the requirements regarding complaints, the State has designated an appropriate and practicable procedure to handle complaints from residents related to the CDBG-MIT Action Plan, substantial amendments, and performance reports. Upon receiving a complaint, the State will provide a timely, substantive written response to written citizen complaints within a 15-working day period.

**Complaints should be sent in writing to:**

Candace Buford, Program Coordination Specialist  
P.O. Box 118  
Jefferson City, MO 65109  
[mocdbg@ded.mo.gov](mailto:mocdbg@ded.mo.gov)  
1-800-253-0609

**Complaints regarding fraud, waste, or abuse of government funds will be forwarded to the HUD OIG Fraud Hotline (phone: 1-800-347-3735 or email: [hotline@hudoig.gov](mailto:hotline@hudoig.gov)).**

Complaints regarding accessibility can be reported to the State's Section 504 Accessibility Coordinator. Plan publication efforts must meet the effective communications requirements of 24 CFR 8.6 and other fair housing and civil rights requirements, such as the effective communication requirements under the Americans with Disabilities Act.

**State Section 504 Accessibility Coordinator:**

Amy Werner, Compliance Specialist  
Missouri Department of Economic Development  
301 W. High Street, Suite 700  
P.O. Box 118  
Jefferson City, MO 65102  
573-751-2039  
[mocdbg@ded.mo.gov](mailto:mocdbg@ded.mo.gov)

## Attachment A:

# STATE OF MISSOURI LANGUAGE ACCESS PLAN FOR STATE CDBG, CDBG-CV, CDBG-DR, AND CDBG-MIT

## INTRODUCTION

Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000(d), and Executive Order 13166 require that recipients who administer Federal funds take responsible steps to ensure meaningful access by persons with limited English proficiency (LEP persons). The State of Missouri's Department of Economic Development (MO DED) administers the State's regular Community Development Block Grant (CDBG) program, CDBG-CV, CDBG-DR, and CDBG-MIT programs and is a recipient of Federal funds from the U.S. Department of Housing and Urban Development (HUD) and, thus, obligated to reduce language barriers that can preclude meaningful access for LEP persons to these programs. DED has prepared this Language Access Plan ("LAP" or "Plan"), which defines the actions to be taken to ensure meaningful access to agency services, programs, and activities by LEP persons.

In preparing this plan, DED conducted a four-factor analysis that considers the following:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by the Agency or its federally funded programs.
2. Frequency with which LEP persons come into contact with the Agency's program.
3. The nature and importance of the program, activity, or service to people's lives.
4. The resources available and the associated costs.

The Missouri CDBG will review and update, on an annual basis with the Annual Action Plan, this LAP in order to ensure continued responsiveness to community needs.

## PURPOSE

The purpose of this plan is to provide direction on DED LEP needs as identified by the four-factor analysis data. The LAP also describes how DED and its subrecipients will provide meaningful language access services to address those needs. DED and its subrecipients will provide two primary types of services: oral and written. Oral language access services may come in the form of "in-language" communication by a qualified bilingual staff member directly in an LEP person's language and interpreter services. Written language access services will come in the form of a written translation provided by DED translators or a translation vendor.

DED and its subrecipients will engage in specific outreach efforts in accordance with Missouri's Citizen Participation Plan and this LAP to ensure that LEP persons are aware of the language access services available to them. DED and its subrecipients will also provide training to program-level LAP coordinators and direct service staff on how to implement this LAP and the methods of assistance available to LEP individuals. DED and its

subrecipients are committed to this LAP as the appropriate response to meeting our LEP clients' needs, as well as complying with Title VI, Executive Order 13166, and Final Guidance (72 FR 2732).

## DEFINITIONS

The following definitions will apply to this plan.

**Language Access Plan (LAP):** The State of Missouri's plan to ensure meaningful access by persons with limited English proficiency (LEP persons).

**Limited English Proficiency (LEP):** Limited English proficiency persons do not speak English as their primary language and have a limited ability to read, write, speak, or understand English, and may be entitled to language assistance with respect to a particular type of service, benefit, or encounter. Note that for the purposes of gathering data for the four-factor analysis, DED used the U.S. Census definition as any individual who speaks a language at home other than English as their primary language, and who speaks or understands English "not well" or "not at all."

**Subrecipient:** The entity designated as a recipient for assistance with Federal or State funding. This is any entity that receives Federal assistance directly from DED CDBG, CDBG-CV, CDBG-DR, CDBG-MIT. This includes, but is not limited to, any unit of local government, public housing authority, community housing development organization, public or private nonprofit agency, developer, contractor, private agency or institution, builder, property manager, residential management corporation, or cooperative association.

## DESCRIPTION OF APPLICABLE PROGRAMS

MO DED is the recipient of funding from HUD, which consists of annual State CDBG funds, CDBG funds for COVID-19 response (CDBG-CV), CDBG Disaster Recovery (CDBG-DR) funds, and CDBG Mitigation (CDBG-MIT) funds. DED then sub-grants this funding to eligible subrecipients throughout the State of Missouri, and such subrecipients undertake projects in specific services areas (i.e., within a particular local government, a group of counties, or other identified service area).

- **CDBG:** Provides grants to units of local government in non-entitlement areas for the development of viable communities through street, potable water, sewer, community facility, and economic development activities.
- **CDBG-DR:** Disaster allocations dedicated to recovery from various disasters that must be utilized for housing, infrastructure, economic development, hazard mitigation, and planning.
- **CDBG-MIT:** A unique opportunity to use assistance in areas impacted by recent disasters to carry out strategic and high-impact activities to mitigate disaster risks and reduce future losses.

- **CDBG-CV:** Grants that fund local public services and microenterprise assistance programs; public health, emergency response, or temporary housing facilities that address COVID-19 impacts; and grant administration.

## FOUR-FACTOR ANALYSIS

### FACTOR ONE:

#### Identifying Missouri's LEP Population Who May Need Language Assistance

DED's service area generally consists of the entire State of Missouri. Communities meeting certain population thresholds set forth by HUD are designated as entitlement communities and are not eligible to receive the annual State CDBG funds. However, these communities can receive CDBG-DR or CDBG-MIT funds if they are part of the communities included in the Disaster Declaration resulting in a CDBG-DR or CDBG-MIT supplemental allocation. To simplify the considerations for this plan, all counties in the State of Missouri will be included in the four-factor analysis.

In order to determine the LEP population of Missouri, the Missouri CDBG reviewed the 2015 5-year American Community Survey (ACS) data (Table B16001) to find what the primary languages were for people who spoke English less than "very well." Based on this data, in addition to English, Missouri's population speaks the following languages:

- Spanish (54,831 or 1.0%)
- Chinese (10,857 or 0.2%)
- Vietnamese (7,335 or 0.1%)
- German (5,263 or 0.1%)
- Serbo-Croatian (5,486 or 0.1%)
- African Languages (4,612 or 0.1%)
- Arabic (4,404 or 0.1%)
- Russian (3,576 or 0.1%)

This data shows that the Spanish-speaking population is the largest LEP population in Missouri, and, therefore, would be the LEP population most likely to be encountered by the Missouri CDBG, CDBG-CV, CDBG-DR, and CDBG-MIT programs. Because DED does not directly provide assistance to individuals, DED also looked at the ACS data to determine what LEP populations are present on a county level.

HUD has established "safe harbor" thresholds regarding the responsibility to provide translation of vital documents for LEP populations. This safe harbor is based on the number and percentages of the service area-eligible population or current beneficiaries and applicants that are LEP persons. According to the safe harbor rule, HUD expects translation of vital documents to be provided when the eligible LEP population in the



service area or beneficiaries exceeds 1,000 persons or if it exceeds 5% of the eligible population or beneficiaries along with more than 50 people. In cases where more than 5% of the eligible population speaks a specific language, but fewer than 50 persons are affected, there should be a translated written notice of the person's right to an oral interpretation.

The Missouri CDBG has identified 15 counties and St. Louis City that have Spanish-speaking LEP populations exceeding the 1,000-person or 5% threshold. These are depicted in the following table. Few other areas have a LEP population other than the Spanish-speaking population that exceeds the HUD safe harbor threshold, as indicated in the table below. The table sets forth safe harbors for written translations for Missouri counties and St. Louis City.

Note:

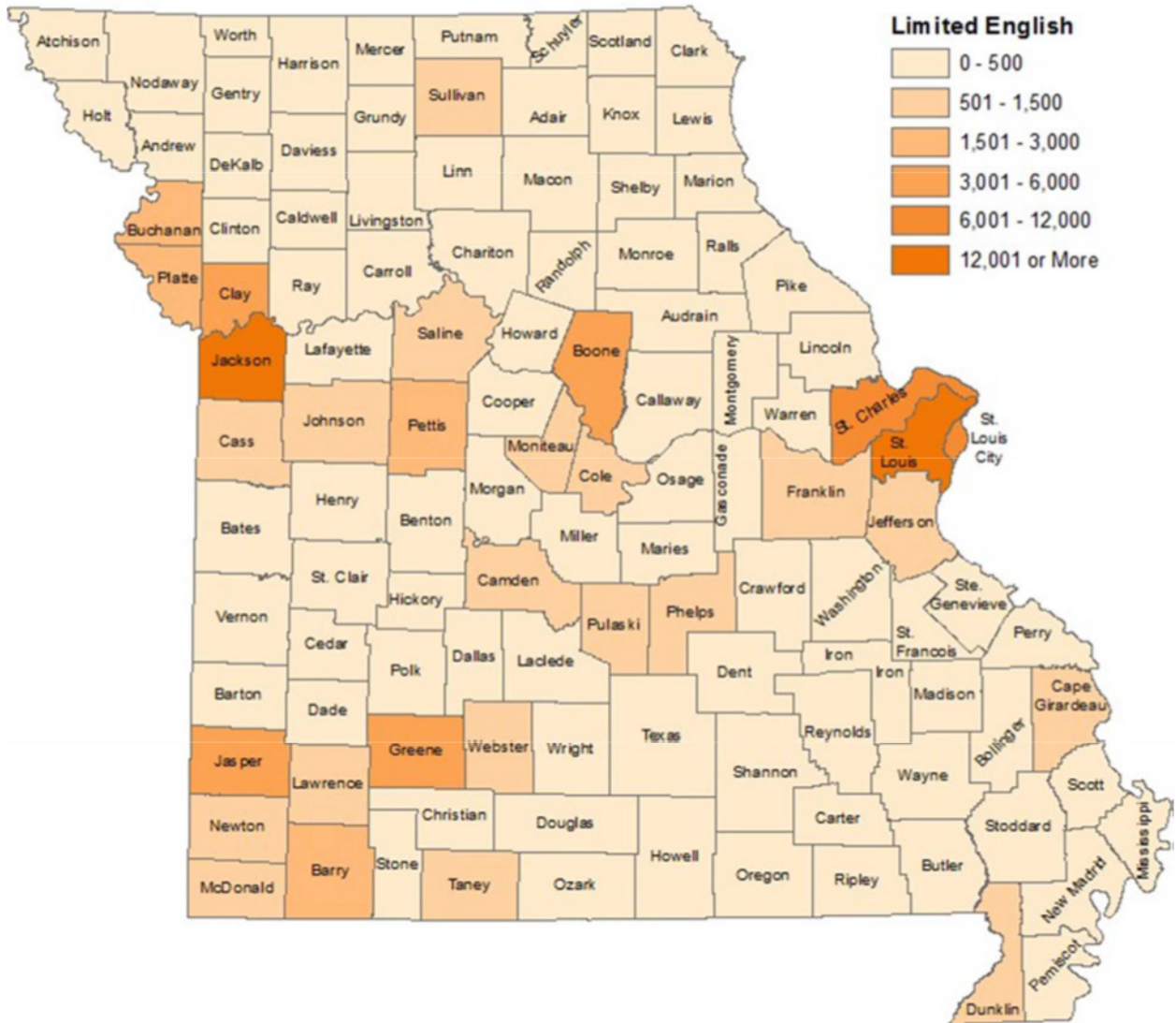
- Counties in **blue\*** are included in **DR-4317** and identified as containing HUD Most Impacted and Distressed (MID) ZIP codes.
- Counties in **teal\*\*** are identified as **State MID counties for DR-4317**.
- Counties in **pink\*\*\*** are included in **DR-4451** and identified as a HUD MID county.



Size of Language Group	Recommended Provision of Written Language Assistance	Missouri County and Language(s) (MIDs Identified by Color)
<b>TABLE KEY: DR-4317: HUD MID*; State MID**; DR-4451: HUD MID***</b>		
1,000 or more in the eligible population in the market area or among current beneficiaries	Translation of Vital Documents	<p> <b>Barry</b> – Spanish**  <b>Boone</b> – Chinese**  <b>Buchanan</b> – Spanish  <b>Cass</b> – Spanish  <b>Clay</b> – Spanish  <b>Jackson</b> – Spanish, Vietnamese, African  <b>Jasper</b> – Spanish**  <b>McDonald</b> -Spanish*  <b>Pettis</b> – Spanish  <b>Pulaski</b> – Spanish**  <b>St. Charles</b> – Spanish, Vietnamese**  <b>St. Louis City/County</b> – Spanish, Russian, Serbo-Croatian, Chinese, Korean, Vietnamese, Arabic, Other Asian**  <b>Webster</b> - German**                     </p>
More than 5% of the eligible population or beneficiaries <b>and 50 or more</b> in number	Translation of Vital Documents	<p> <b>Barry</b> – Spanish**  <b>McDonald</b> – Spanish*  <b>Sullivan</b> – Spanish                     </p>
More than 5% of the eligible population or beneficiaries <b>and 50 or fewer</b> in number	Translation of Notice of Right to Receive Free Oral Interpretation of Vital Documents	None
5% or less of the eligible population or beneficiaries <b>and less than 100</b> in number	No written translation is required	As applicable

The map below identifies the number of LEP persons per county.

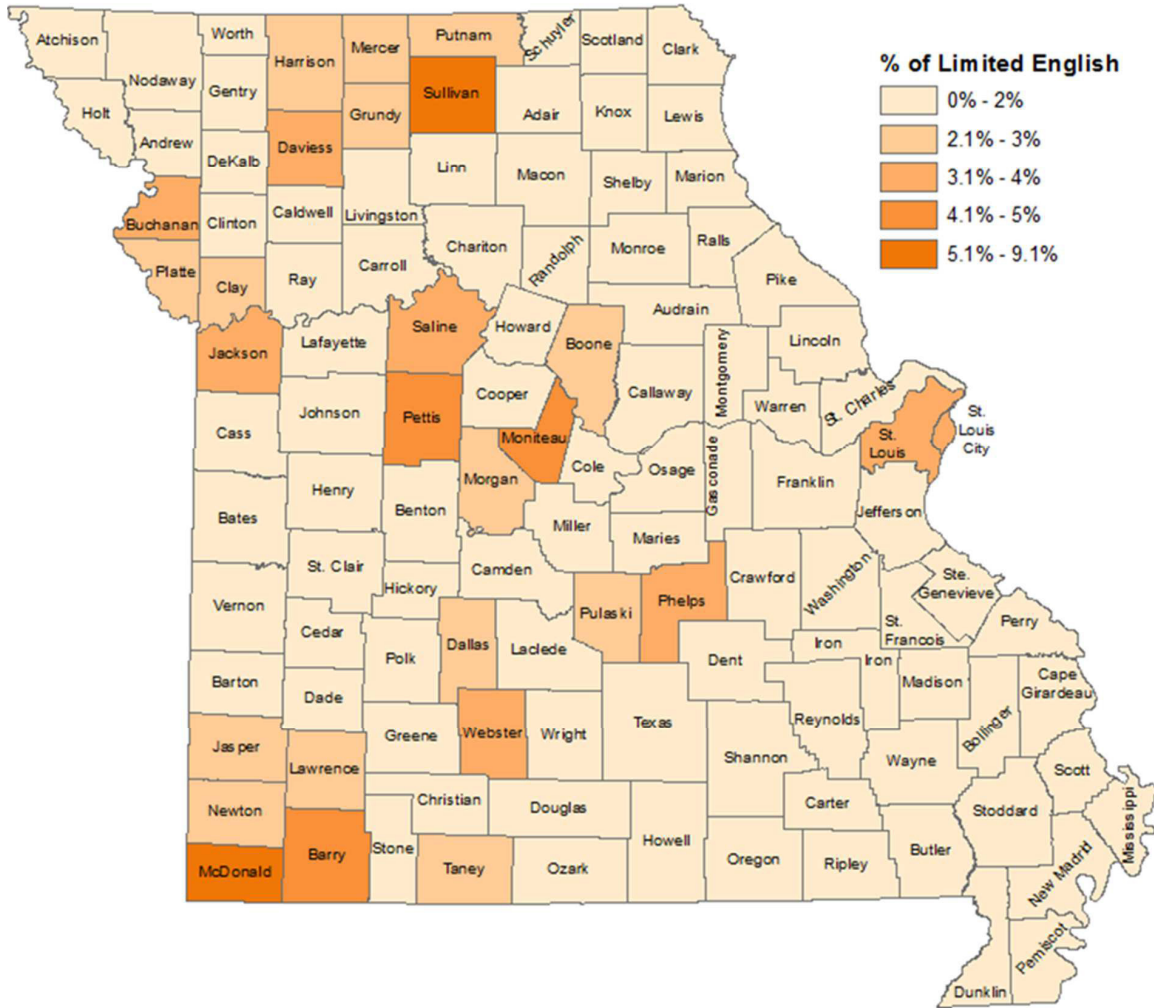
### Population of Limited English Proficiency By County



Source: 2016 ACS 5-year (2012-2016) Estimates, Selected Social Characteristics.

The following map identifies the percentage of LEP persons per capita by county.

### Per Capita Percentage of Limited English Proficiency By County



Source: 2016 ACS 5-year (2012-2016) Estimates, Selected Social Characteristics.

**FACTOR TWO:****Frequency with Which LEP Persons May Come into Contact with Missouri CDBG**

As a byproduct of sub-granting funds to communities, DED does not often come into direct contact with LEP persons, as most direct contact with a LEP person occurs at the project level between the subrecipient and the LEP person. There are instances, however, when DED may expect to come into contact with LEP persons at the State level, and accommodations are necessary. DED has determined that LEP persons are most likely to come into contact with Agency programs as follows:

- Persons participating in the annual CDBG planning process for DED programs
- Individuals utilizing the State's complaint/application status process
- Individuals accessing the CDBG, CDBG-DR, and CDBG-MIT websites

**FACTOR THREE:****Nature and Importance of the Program, Activity, or Service Provided by the Missouri CDBG**

DED understands that the more important the activity, information, services, or program, the greater the possible consequences of the contact to LEP persons, and the more likely language services are needed. The programs administered by DED result in subrecipients of HUD funding from DED carrying out projects, and in some instances, providing direct assistance to LEP persons and families. It is likely that the type of project activities proposed by the subrecipient will impact the level and type of language assistance needed to be provided. See Attachment A for LEP guidance to subrecipients.

DED evaluated which of its programs are most likely to require language access services based on the program's audience. At the DED level, it is most important for language assistance services be provided for citizen participation efforts undertaken by CDBG, as this is when it is most likely that LEP individuals will come into contact with CDBG directly. It is also important that DED provides information to LEP persons that will allow them to file a complaint if they believe that they have been denied the benefits of language assistance.

The table below demonstrates DED evaluation of the CDBG-MIT programs.

CDBG-MIT Program	Agency	Audience	Potential Interaction with LEP Persons
<b>General Infrastructure</b>	DED	Subrecipient Local Government or RPC/COG	The most likely potential for this program to interact with LEP persons will be when the local government holds a public hearing regarding the CDBG-MIT planned activities in their community.
<b>Public Facility Hardening</b>	DED	Subrecipient Local Government or RPC/COG	The most likely potential for this program to interact with LEP persons will be when the local government holds a public hearing regarding the CDBG-MIT planned activities in their community.
<b>Generators for Critical Facilities</b>	DED	Subrecipient Local Government or RPC/COG	The most likely potential for this program to interact with LEP persons will be when the local government holds a public hearing regarding the CDBG-MIT planned activities in their community.
<b>Warning Systems</b>	DED	Subrecipient Local Government or RPC/COG	The most likely potential for this program to interact with LEP persons will be when the local government holds a public hearing regarding the CDBG-MIT planned activities in their community.

For all CDBG, CDBG-CV, CDBG-DR, and CDBG-MIT, DED and its subrecipients will interact with LEP persons through a variety of means. These may include, but are not limited to, the following:

- In-person and telephone contact with program applicants and participants
- Hotline or information line calls
- Outreach programs
- Public access to agency websites.
- Written correspondence, notices, or complaints sent to an agency
- Agency brochures intended for public distribution

DED will also provide appropriate language access services for LEP persons when Action Plan or Substantial Action Plan Amendments are considered, and public citizen participation periods are opened.

**FACTOR FOUR:****Available Resources and Costs**

DED has limited resources available for the administration of HUD-funded programs. These resources primarily come from the percentage of CDBG, CDBG-CV, CDBG-DR, and CDGB-MIT program funding that is allowed to be used for the administration of such programs. DED will use these administrative funds to provide LEP services in addition to using such funds for fulfilling all other statutory and regulatory requirements of these programs.

The costs associated with providing LEP services will vary depending on the service provided. A cost-effective method of providing LEP services would be to make LEP persons aware of the many brochures, handbooks, booklets, factsheets, and forms that are available in multiple languages on the HUD website. DED may also, when appropriate, utilize free websites to translate written materials. The costliest option for providing LEP services would be to contract with outside persons who are proficient in the interpretation of spoken word and in the translation of documents. DED will do this when necessary. It is expected that the cost of obtaining such services will vary depending on the nature of the services requested and the service provider selected.

**POINT OF CONTACT**

The CDBG communication specialist is the designated point of contact for coordination of LEP compliance and services.

**CDBG Communication Specialist**

P.O. Box 118

Jefferson City, MO 65109

[mocdbg@ded.mo.gov](mailto:mocdbg@ded.mo.gov)

573-751-3600

**IDENTIFICATION OF LEP PERSONS WHO NEED LANGUAGE ASSISTANCE**

The Missouri CDBG will review American Community Survey data as it is updated to determine the size of LEP populations and the languages of LEP populations within the State of Missouri. The LAP will be updated to reflect changes in language assistance needs.

## LANGUAGE ASSISTANCE TO BE PROVIDED

- DED will provide language assistance as requested and as appropriate.
- DED will use and make persons aware of the many brochures, handbooks, booklets, factsheets, and forms that are available in multiple languages on the HUD website. Many of these are available at:
  - CDBG-DR site <https://ded.mo.gov/DisasterRecovery>
  - CDBG-MIT site <https://ded.mo.gov/Mitigation>
- When, and if appropriate, DED may utilize free websites and computer programs to translate written materials.
- As needed, DED will contract with entities that are proficient in the interpretation of spoken word and the translation of documents. A list of identified contractors is available through the Missouri Office of Administration.
- DED will maintain an open contract with an approved Office of Administration vendor to provide language assistance through a voice interpretation service via telephone. DED will keep a copy of the instructions for using this service on the Department's internal shared drive.
- DED will provide, on a prior request basis, interpretation assistance for public hearings from a qualified contractor.
- DED will translate vital documents, including, but not limited to, the Citizen Participation Plan and complaint procedures, into Spanish (and other languages, as needed, may be identified in the future).



## **ATTACHMENT B: MISSOURI CDBG, CDBG-CV, CDBG-DR, AND CDBG-MIT SUBRECIPIENT LANGUAGE ACCESS PLAN GUIDANCE**

This document provides additional guidance on how to accomplish timely and reasonable steps to provide limited English proficient (LEP) persons with meaningful access to programs and activities funded by the Federal Government and awarded by the Missouri CDBG, CDBG-CV, CDBG-DR, and CDBG-MIT. Refer to the CDBG Language Access Plan Policy and the Civil Rights section of the CDBG Administrative Manual, then complete the steps described in detail below to develop a local LAP.

### **STEP 1: PROVIDE GENERAL INFORMATION**

Provide the following information at the beginning of the local government's Language Access Plan:

- Grantee
- Subrecipient
- CDBG Grant Number
- Target Area
- Preparer's name, phone number, and email address

### **STEP 2: CONDUCT A FOUR-FACTOR ANALYSIS TO DETERMINE HOW TO PROVIDE NEEDED LANGUAGE ASSISTANCE**

Subrecipients are required to take reasonable steps to ensure meaningful access to LEP persons. This "reasonableness" standard is intended to be flexible and fact dependent. It is also intended to balance the need to ensure meaningful access by LEP persons to critical services while not imposing undue financial burdens on small businesses, small local governments, or small nonprofit organizations. Use data to answer the question:

- How many limited English proficient people are in your local government's city or county's jurisdiction?
- Attach maps (if applicable) or other relevant data to your Language Access Plan. All data or maps provided must be accurately sourced.

As a starting point, a subrecipient may conduct an individualized assessment that balances the following four factors.



**FACTOR ONE:**

**Determine the number of LEP persons served or encountered in the eligible service population.**

Most subrecipients will depend on the most recent release of data from American Community Survey Table B16001 (“Language Spoken at Home by Ability to Speak English”) and Table S1601 (“Language Spoken at Home”) to determine the number of LEP persons in the service area. In cases where the overall jurisdiction numbers fall below the “safe harbor” thresholds (see table below) to provide translated written documents, but existing or planned CDBG target areas exist, the CDBG subrecipient must evaluate whether there are LEP households within the target areas that may need notification or other Language Access Plan (LAP) services. The subrecipient’s evaluation should use local knowledge or data, or other relevant data in conducting its evaluation and should indicate its conclusions regarding the steps necessary reach out to these households in the language they speak to ensure that adequate notification is achieved. This evaluation will be particularly important for housing grants where eligible applicants for assistance may need application or other documents translated to take advantage of available services. All data provided must be accurately sourced. The size of the language group determines the recommended provision of written language assistance, as determined by the safe harbor thresholds outlined in the Federal Register (72 FR 2732).

**Safe Harbor Thresholds**

Size of Language Group	Recommended Provision of Written Language Assistance
100 or more in the eligible population	Translated vital documents
More than 5% of the eligible population or beneficiaries, and more than 50 in number	Translated vital documents
More than 5% of the eligible population or beneficiaries, and 50 or less in number	Translated written notice of right to receive free oral interpretation of documents
5% or less of the eligible population or beneficiaries, and less than 1,000 in number	No written translation is required

A vital document is any document that is critical for ensuring meaningful access to the subrecipient’s major activities and programs by beneficiaries generally and LEP persons specifically. Whether a document (or the information it solicits) is “vital” may depend on the importance of the program, information, encounter, or services involved, and the consequence to the LEP person if the information is not provided accurately or in a timely manner. Where appropriate, subrecipients are encouraged to create a plan for consistently

determining, over time and across its various activities, what documents are vital to meaningful access by the LEP populations they serve. Leases, rental agreements, and other housing documents of a legal nature that are enforceable in U.S. Courts should be in English.

### **FACTOR TWO:**

#### **The frequency with which LEP persons come in contact with the program.**

Subrecipients should assess, as accurately as possible, the frequency with which they have or should have contact with an LEP individual from the different language groups seeking assistance. If an LEP individual accesses a program or service on a daily basis, a subrecipient has greater duties than if the same individual's program or activity contact is unpredictable or infrequent. However, even subrecipients that serve LEP persons on an unpredictable or infrequent basis should determine what to do if an LEP individual seeks services under the program in question. This plan need not be intricate. It may be as simple as being prepared to use one of the commercially available telephonic interpretation services to obtain immediate interpreter services. In applying this standard, subrecipients should consider whether appropriate outreach to LEP persons could increase the frequency of contact with LEP language groups.

*For CDBG, CDBG-DR, and CDBG-MIT grants, grantees and subrecipients must engage with the public at these critical stages:*

- When notifying the public about a grant award application and its proposed activities
- When notifying the public about the grant award and its funded activities
- When seeking applicants to participate in the program (e.g., when seeking homeowners for rehabilitation assistance)
- When seeking qualified contractors
- When working with homeowners selected for assistance
- When seeking bids from builders to construct the homes
- When notifying the public about the grant award closeout and its accomplishments

*Answer the following questions:*

- What is the nature of the program (e.g., providing improved water and sewer services)?
- What is the importance of the program?
- Would denial or delay of access to services or information have serious or even life-threatening implications for the LEP individual?

**FACTOR THREE:****The nature and importance of the program, activity, or services provided by the program.**

The more important the activity, information, service, or program, or the greater the possible consequences of the contact to LEP persons, the more likely the need for language services. The subrecipient needs to determine whether denial or delay of access to services or information could have serious or even life-threatening implications for the LEP individual. Decisions by HUD; another Federal, State, or local entity; or the subrecipient to make a specific activity compulsory in order to participate in the program, such as filling out particular forms, participating in administrative hearings, or other activities, can serve as strong evidence of the program's importance.

Determine the resources to be made available (if any).

**FACTOR FOUR:****The resources available and costs to the recipient.**

Language assistance that a subrecipient might provide to LEP persons includes, but is not limited to, the following:

- Oral interpretation services
- Bilingual staff
- Telephone service line interpreter
- Written translation services
- Notices to staff and subrecipients of the availability of LEP services
- Referrals to community liaisons proficient in the language of LEP persons
- Provide an "I speak" card, available at <https://www.lep.gov/ISpeakCards2004.pdf>
- Use of the many brochures, handbooks, booklets, factsheets, and forms that are available in multiple languages on the HUD website at [https://www.hud.gov/program\\_offices/fair\\_housing\\_equal\\_opp/17lep#Booklets](https://www.hud.gov/program_offices/fair_housing_equal_opp/17lep#Booklets)

A subrecipient's level of resources and the costs that would be imposed on it may have an impact on the nature of the steps it should take. Smaller subrecipients with more limited budgets are not expected to provide the same level of language services as larger subrecipients with larger budgets. In addition, "reasonable steps" may cease to be reasonable where the costs imposed substantially exceed the benefits. Resource and cost issues, however, can often be reduced by technological advances; sharing of language assistance materials and services among and between subrecipients, advocacy groups, and Federal grant agencies; and reasonable business practices. Where appropriate, training bilingual staff to act as interpreters and translators, information sharing through industry groups, telephonic and video conferencing interpretation services, pooling resources and standardizing documents to reduce translation needs, using qualified translators and

interpreters to ensure that documents need not be “fixed” later and that inaccurate interpretations do not cause delay or other costs, centralizing interpreter and translator services to achieve economies of scale, or the formalized use of qualified community volunteers, for example, may help reduce costs. Subrecipients should carefully explore the most cost-effective means of delivering competent and accurate language services before limiting services due to resource concerns.

Small subrecipients with limited resources may find that entering into a bulk telephonic interpretation service contract will prove to be cost-effective. Large subrecipients and those subrecipients serving a significant LEP population should determine a process that substantiates the need for language services. Such subrecipients may find it useful to articulate, through documentation or in some other reasonable manner, their process for determining that language services would be limited based on resources or costs.

The four-factor analysis necessarily implicates the “mix” of LEP services the subrecipient will provide. Subrecipients have two main ways to provide language services: oral interpretation in person or via telephone interpretation service (hereinafter “interpretation”) and through written translation (hereinafter “translation”). Oral interpretation can range from onsite interpreters for critical services provided to a high volume of LEP persons to commercially available telephonic interpretation services. Written translation, likewise, can range from translation of an entire document to translation of a short description of the document. In some cases, language services should be made available on an expedited basis, while in others, the LEP individual may be referred to another office of the subrecipient for language assistance. The correct mix should be based on what is both necessary and reasonable in light of the four-factor analysis. For example, a public housing provider in a largely Hispanic neighborhood may need immediate oral interpreters available and should give serious consideration to hiring some bilingual staff. (Of course, many have already made such arrangements.) In contrast, there may be circumstances where the importance and nature of the activity and number or proportion and frequency of contact with LEP persons may be low and the costs and resources needed to provide language services may be high—such as in the case of a voluntary public tour of a recreational facility—in which pre-arranged language services for the particular service may not be necessary. Regardless of the type of language service provided, the quality and accuracy of those services can be critical in order to avoid serious consequences to the LEP person and to the subrecipient. Subrecipients have substantial flexibility in determining the appropriate mix.

### **STEP 3: PREPARE A LANGUAGE ACCESS PLAN (LAP) AND SUBMIT IT TO YOUR CDBG FIELD REP**

After completing the four-factor analysis and deciding what language assistance services are appropriate, subrecipients must develop a Language Assistance Plan to address the identified needs of the LEP populations it serves. An effective LAP should include the following:

- Four-factor analysis
- Points and types of contact the agency and staff may have with LEP persons
- Procedures the subrecipient will use to identify LEP individuals who need language assistance
- Ways in which language assistance will be provided by the subrecipient
- List of vital documents to be translated (if necessary)
- Subrecipient's plan for training staff members on LEP guidance and the LAP
- Subrecipient's plan for monitoring and updating the LAP
- Plan for complaints and appeals

## LANGUAGE ACCESS PLAN FREQUENTLY ASKED QUESTIONS

### *Who are limited English proficient (LEP) persons?*

Persons who, as a result of national origin, do not speak English as their primary language and who have a limited ability to speak, read, write, or understand English. For the purposes of Title VI and the LEP guidance, persons may be entitled to language assistance with respect to a particular service, benefit, or encounter.

### *What is Title VI and how does it relate to providing meaningful access to LEP persons?*

Title VI of the Civil Rights Act of 1964 is the Federal law that protects individuals from discrimination on the basis of their race, color, or national origin in programs that receive Federal financial assistance. In certain situations, failure to ensure that persons who are LEP can effectively participate in, or benefit from, federally assisted programs may violate Title VI's prohibition against national origin discrimination.

### *What do Executive Order (EO) 13166 and the guidance require?*

EO 13166, signed on August 11, 2000, directs all Federal agencies, including the U.S. Department of Housing and Urban Development (HUD), to work to ensure that programs receiving Federal financial assistance provide meaningful access to LEP persons. Pursuant to EO 13166, the meaningful access requirement of the Title VI regulations and the four-factor analysis set forth in the U.S. Department of Justice (DOJ) LEP guidance apply to the programs and activities of Federal agencies, including HUD. In addition, EO 13166 requires Federal agencies to issue LEP guidance to assist their federally assisted recipients in providing such meaningful access to their programs. This guidance must be consistent with the DOJ guidance. Each Federal agency is required to specifically tailor the general standards established in DOJ's guidance to its federally assisted recipients. On December 19, 2003, HUD published such proposed guidance.

### *Who must comply with the Title VI LEP obligations?*

All programs and operations of entities that receive financial assistance from the Federal Government, including, but not limited to, State agencies, local agencies, and for-profit

and nonprofit entities, must comply with the Title VI requirements. A listing of most, but not necessarily all, HUD programs that are federally assisted may be found at the List of Federally Assisted Programs published in the Federal Register on November 24, 2004 (69 FR 68700). Subrecipients must also comply (i.e., when Federal funds are passed through a recipient to a subrecipient). As an example, Federal Housing Administration (FHA) insurance is not considered Federal financial assistance, and participants in that program are not required to comply with Title VI's LEP obligations unless they receive Federal financial assistance as well [24 CFR 1.2(e)].

### *Does a person's citizenship and immigration status determine the applicability of the Title VI LEP obligations?*

U.S. citizenship does not determine whether a person is LEP. It is possible for a person who is a U.S. citizen to be LEP. It is also possible for a person who is not a U.S. citizen to be fluent in the English language. Title VI is interpreted to apply to citizens, documented non-citizens, and undocumented non-citizens. Some HUD programs require recipients to document citizenship or the eligible immigrant status of beneficiaries; other programs do not. Title VI LEP obligations apply to every beneficiary who meets the program requirements, regardless of the beneficiary's citizenship status.

### *What is expected of subrecipients under the guidance?*

The actions that the subrecipient may be expected to take to meet its LEP obligations depend on the results of the four-factor analysis, including the services the subrecipient offers, the community the subrecipient serves, the resources the subrecipient possesses, and the costs of various language service options. All organizations would ensure nondiscrimination by taking reasonable steps to ensure meaningful access for persons who are LEP. HUD recognizes that some projects' budgets and resources are constrained by contracts and agreements with HUD. These constraints may impose a material burden on the projects. Where a HUD subrecipient can demonstrate such a material burden, HUD views this as a critical item in the consideration of costs in the four-factor analysis. However, refusing to serve LEP persons or not adequately serving or delaying services to LEP persons would violate Title VI. The agency may, for example, have a contract with another organization to supply an interpreter when needed; use a telephone service line interpreter; or, if it would not impose an undue burden, or delay or deny meaningful access to the client, the agency may seek the assistance of another agency in the same community with bilingual staff to help provide oral interpretation services.

### *What are examples of language assistance?*

Language assistance that a grantee/subrecipient might provide to LEP persons includes, but is not limited to, the following:

- Oral interpretation services
- Bilingual staff

- Telephone service line interpreter
- Written translation services
- Notices to staff about the availability of LEP services
- Referrals to community liaisons proficient in the language of LEP persons

*How may a grantee or subrecipient determine the language services needs of a beneficiary?*

Grantees and subrecipients should elicit language services needs from all prospective beneficiaries (regardless of the prospective beneficiary's race or national origin). If the prospective beneficiary's response indicates a need for language assistance, the grantee/subrecipient may want to give applicants or prospective beneficiaries a language identification card (or "I speak" card). Language identification cards invite LEP persons to identify their own language needs. Such cards, for example, might say "I speak Spanish" in both Spanish and English, "I speak Vietnamese" in both Vietnamese and English, and so forth. To reduce the cost of compliance, the Federal Government has made a set of these cards available on the internet at <https://www.lep.gov/resources/resources.html>

*How may a grantee/subrecipient's limited resources be supplemented to provide the necessary LEP services?*

A grantee/subrecipient should be resourceful in providing language assistance as long as the quality and accuracy of language services are not compromised. The grantee/subrecipient need not provide the assistance, but may decide to partner with other organizations to provide the services. In addition, local community resources may be used if they can ensure that language services are competently provided. In the case of oral interpretation, for example, demonstrating competency requires more than self-identification as bilingual. Some bilingual persons may be able to communicate effectively in a different language when communicating information directly in that language, but may not be competent to interpret between English and that language.

In addition, the skill of translating is very different from the skill of interpreting, and a person who is a competent interpreter may not be a competent translator. To ensure the quality of written translations and oral interpretations, HUD encourages grantees to use members of professional organizations. Examples of such organizations are national organizations, including the American Translators Association (written translations), National Association of Judicial Interpreters and Translators, and International Organization of Conference Interpreters (oral interpretation); State organizations, including the Colorado Association of Professional Interpreters and the Florida Chapter of the American Translators Association; and local legal organizations, such as Bay Area Court Interpreters.

While HUD recommends using the list posted on the official LEP website, its limitations must be recognized. Use of the list is encouraged, but not required or endorsed by HUD.



It does not come with a presumption of compliance. There are many other qualified interpretation and translation providers, including in the private sector.

*May the grantee/subrecipients rely on family members or friends of the LEP person as interpreters?*

Generally, the grantee/subrecipients should not rely on family members, friends of the LEP person, or other informal interpreters. In many circumstances, family members (especially children) or friends may not be competent to provide quality and accurate interpretations. Therefore, such language assistance may not result in an LEP person obtaining meaningful access to the grantee/subrecipients' programs and activities. However, when LEP persons choose not to utilize the free language assistance services expressly offered to them by the grantee/subrecipients, but instead choose to rely on an interpreter of their own choosing (whether a professional interpreter, family member, or friend), LEP persons should be permitted to do so at their own expense. The grantee/subrecipient may consult HUD LEP guidance for more specific information on the use of family members or friends as interpreters. While HUD guidance does not preclude the use of friends or family as interpreters in every instance, HUD recommends that the grantee/subrecipient use caution when such services are provided.

*Are leases, rental agreements, and other housing documents of a legal nature enforceable in U.S. courts when they are in languages other than English?*

Generally, the English language document prevails. The translated documents may carry a disclaimer. For example, "This document is a translation of a HUD-issued legal document. HUD provides this translation to you merely as a convenience to assist in your understanding of your rights and obligations. The English language version of this document is the official, legal, controlling document. This translated document is not an official document." Where both the landlord and tenant contracts are in languages other than English, State contract law governs the leases and rental agreements. HUD does not interpret State contract law. Therefore, questions regarding the enforceability of housing documents of a legal nature that are in languages other than English should be referred to a lawyer well-versed in contract law of the appropriate State or locality. Neither EO 13166 nor HUD LEP guidance grants an individual the right to proceed to court alleging violations of EO 13166 or HUD LEP guidance.

In addition, current Title VI case law only permits a private right of action for intentional discrimination and not for action based on the discriminatory effects of a grantee/subrecipient's practices. However, individuals may file administrative complaints with HUD alleging violations of Title VI because the HUD grantee/subrecipient failed to take reasonable steps to provide meaningful access to LEP persons. The local HUD office will take the complaint, in writing, note date and time, detailing the complainant's allegation as to how the State failed to provide meaningful access to LEP persons. HUD will determine jurisdiction and follow up with an investigation of the complaint.



### *Who enforces Title VI as it relates to discrimination against LEP persons?*

Most Federal agencies have an office that is responsible for enforcing Title VI of the Civil Rights Act of 1964. To the extent that a grantee/subrecipient's actions violate Title VI obligations, then such Federal agencies will take the necessary corrective steps. The Secretary of HUD has designated the Office of Fair Housing and Equal Opportunity (FHEO) to take the lead in coordinating and implementing EO 13166 for HUD; however, each program office is responsible for its grantee/subrecipient's compliance with the civil rights-related program requirements under Title VI.

### *How does a person file a complaint if he/she believes that the State is not meeting its Title VI LEP obligations?*

If a person believes that the State is not taking reasonable steps to ensure meaningful access to LEP persons, that individual may file a complaint with HUD's local Office of FHEO. For contact information for the local HUD office, go to the HUD website or call the toll-free Housing Discrimination Hotline at 800-669-9777 (voice) or 800-927-9275 (TTY).

### *What will HUD do with a complaint alleging noncompliance with Title VI obligations?*

HUD's Office of FHEO will conduct an investigation or compliance review whenever it receives a complaint, report, or other information that alleges or indicates possible noncompliance with Title VI obligations by the State. If HUD's investigation or review results in a finding of compliance, HUD will inform the State in writing of its determination. If an investigation or review results in a finding of noncompliance, HUD also will inform the State in writing of its finding and identify steps that the State must take to correct the noncompliance. In a case of noncompliance, HUD will first attempt to secure voluntary compliance through informal means. If the matter cannot be resolved informally, HUD may then secure compliance by:

- Terminating the financial assistance of the State only after the State has been given an opportunity for an administrative hearing; and/or
- Referring the matter to DOJ for enforcement proceedings.

### *How will HUD evaluate evidence in the investigation of a complaint alleging noncompliance with Title VI obligations?*

Title VI is the enforceable statute by which HUD investigates complaints alleging a grantee/subrecipient's failure to take reasonable steps to ensure meaningful access to LEP persons. In evaluating the evidence in such complaints, HUD will consider the extent to which the State followed the LEP guidance or otherwise demonstrated its efforts to serve LEP persons. HUD's review of the evidence will include, but may not be limited to, application of the four-factor analysis identified in the HUD LEP guidance. The four-factor analysis provides HUD with a framework by which it may look at all programs and services that the grantee/subrecipient provides to persons who are LEP to ensure meaningful access while not imposing undue burdens on the grantee/subrecipients.

### *What is a safe harbor?*

A "safe harbor," in the context of this guidance, means that the grantee/subrecipient has undertaken efforts to comply with respect to the needed translation of vital written materials. If a grantee/subrecipient conducts the four-factor analysis, determines that translated documents are needed by LEP applicants or beneficiaries, adopts a language action plan that specifies the translation of vital materials, and makes the necessary translations, then the grantee/subrecipient provides strong evidence, in its records or in reports to the agency providing Federal financial assistance, that it has made reasonable efforts to provide written language assistance.

### *What "safe harbors" may a grantee/subrecipients follow to ensure that they have no compliance finding with Title VI LEP obligations?*

HUD has adopted a "safe harbor" for the translation of written materials, as outlined in Table 1 of this document. The guidance identifies actions that will be considered strong evidence of compliance with Title VI obligations. Failure to provide written translations under these cited circumstances does not mean that the grantee/subrecipient is in noncompliance. Rather, the "safe harbors" provide a starting point for the grantee/subrecipients to consider.

Whether and at what point the importance of the service, benefit, or activity involved warrants written translations of commonly used forms into frequently encountered languages other than English.

- Whether the nature of the information sought warrants written translations of commonly used forms into frequently encountered languages other than English.
- Whether the number or proportion of LEP persons served warrants written translations of commonly used forms into frequently encountered languages other than English.
- Whether the demographics of the eligible population are specific to the situations for which the need for language services is being evaluated. In many cases, use of the "safe harbor" would mean the provision of written language services when marketing to the eligible LEP population within the market area. However, when the actual population served (e.g., occupants of, or applicants to, the housing project) is used to determine the need for written translation services, written translations may not be necessary.

When HUD conducts a review or investigation, it will look at the total services the grantee/subrecipient provides, rather than a few isolated instances.

*Is the grantee/subrecipient expected to provide any language assistance to persons in a language group when fewer than 5% of the eligible population and fewer than 50 in number are members of the language group?*

HUD recommends that the grantee/subrecipients use the four-factor analysis to determine whether to provide these persons with oral interpretation of vital documents if requested.

*Are there "safe harbors" provided for oral interpretation services?*

There are no "safe harbors" for oral interpretation services. The grantee/subrecipients should use the four-factor analysis to determine whether they should provide reasonable, timely, oral language assistance free of charge to any beneficiary who is LEP (depending on the circumstances, reasonable oral language assistance might be an in-person interpreter or telephone interpreter line).

*What are the obligations of HUD grantee/subrecipients if they operate in jurisdictions in which English has been declared the official language?*

In a jurisdiction where English has been declared the official language, a HUD grantee/subrecipient is still subject to Federal nondiscrimination requirements, including Title VI requirements as they relate to LEP persons.

*Where can I find more information on LEP?*

Additional resources on HUD compliance policies and guidance can be found in the Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons Notice at <https://www.gpo.gov/fdsys/pkg/FR-2007-01-22/pdf/07-217.pdf>. Complete LEP resources and information for all Federal programs can be found at <https://www.lep.gov/>.

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## ATTACHMENT C: STATE OF MISSOURI WEBSITE POLICIES AND PROCEDURES FOR CDBG-DR AND CDBG-MIT

### 1. Website Purpose

The State of Missouri is currently creating and will maintain comprehensive websites for the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant Disaster Recovery (CDBG-DR) in accordance with HUD requirements, as cited in Federal Register Notice, 83 FR 5844, February 9, 2018 (prior Notice for 83 FR 40314, August 14, 2018, which allocated \$58,535,000 of CDBG-DR funds to Missouri). CDBG-DR funds must be used to address unmet needs (with a priority focus on housing) that can be tied to the 2017 disasters declared under DR-4317.

Concurrently, the Missouri Department of Economic Development (MO DED) will also create and maintain a CDBG Mitigation (CDBG-MIT) web page linked to the CDBG-DR web page in accordance with Federal Register Notice 84 FR 45838, August 30, 2019. CDBG-MIT funds must be used to address mitigation risks identified in the CDBG-MIT Action Plan. All CDBG-MIT activities must address the mitigation of future disasters.

The websites serve as a central source for CDBG-DR and CDBG-MIT information and are intended to provide transparency into the State of Missouri's disaster recovery activities using these funds. The website will host Action Plans and Amendments; Citizen Participation Policies; Public Hearing Notices; CDBG-DR and CDBG-MIT Program policies, eligibility requirements, and steps to apply for funding; procurement policies, solicitations, and awarded contracts (including those procured by subrecipients); procedures for complaints, appeals, and fraud reporting; Quarterly Performance Reports; expenditure projections and outcomes; and for CDBG-MIT, information on the Citizens Advisory Group for Mitigation.

The Lead Agency (i.e., Grantee) for Missouri's CDBG-DR and CDBG-MIT allocations has been designated as MO DED. This department is also the Lead Agency for the State's annual CDBG allocation. DED currently manages websites associated with the State's CDBG program.

### 2. Website Content

The DED website for CDBG-DR is at <https://ded.mo.gov/DisasterRecovery>

The DED website for CDBG-MIT is at <https://ded.mo.gov/mitigation>

Each program page will have links to its counterpart (i.e., the CDBG-DR page will link to the CDBG-MIT page and vice versa).

Website locations will be printed on all program advertisements and outreach materials. The State of Missouri adheres to ADA-compliant standards for website accessibility and readability. Content and website layout will be designed with best practices for adaptive use in mind. The State supports accommodations for citizens with limited English proficiency (LEP) and will publish program documents in languages based on the needs of the community.

The information that will be available for CDBG-DR on the DED website will include, but may not be limited to, the following:

### CDBG-DR Requirements

- CDBG-DR Unmet Needs Assessment
- CDBG-DR Action Plan and Amendments
- CDBG-DR Announcements of Public Hearings
- Citizen Participation Plan
- Accessibility and LEP requirements
- Information on each CDBG-DR program, eligibility requirements, and steps to apply
- CDBG-DR Appeals Procedures
- CDBG-DR Citizen Complaint Procedures
- List of all CDBG-DR Subrecipients and Contractors
- CDBG-DR Procurement
  - Procurement Policies
  - Current requests for proposal
  - Eligibility for competitive sub-awards (if applicable)
  - Awarded contracts and subrecipient contract summary
- CDBG-DR Quarterly Performance Reports
- A link to the CDBG-MIT web page
- Additional reporting as required by HUD

### CDBG-MIT Requirements

The information on the CDBG-MIT web page will include, but may not be limited to, the following:

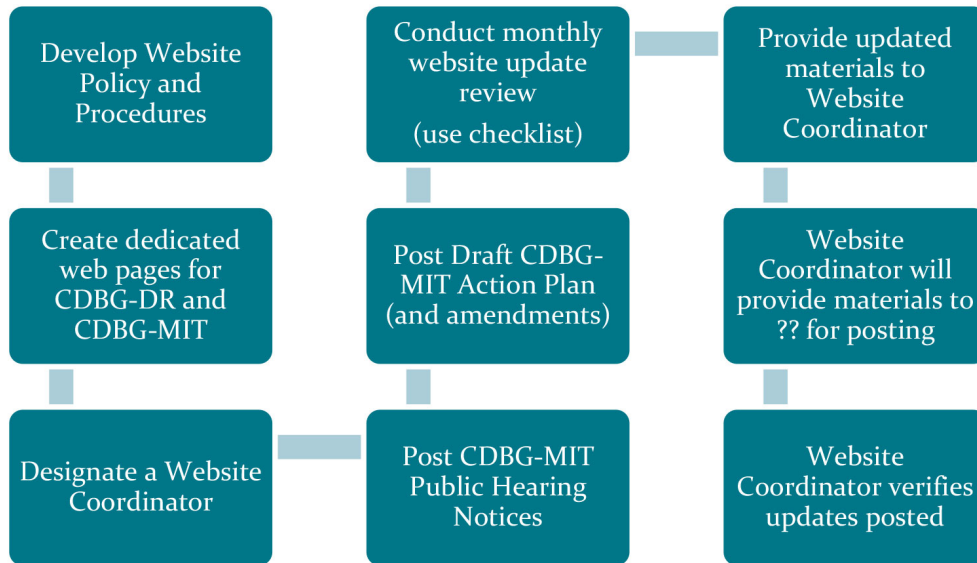
- CDBG-MIT Risk Assessment
- CDBG-MIT Action Plans and Amendments
- CDBG-MIT Announcements of Public Hearings
- Citizen Participation Plan

- Accessibility and LEP requirements
- Information on each CDBG-MIT program, eligibility requirements, and steps to apply
- CDBG-MIT Appeals Procedures
- CDBG-MIT Citizen Complaint Procedures
- List of all CDBG-MIT Subrecipients and Contractors
- CDBG-MIT Procurement
  - Procurement Policies
  - Current requests for proposal
  - Eligibility for competitive sub-awards
  - All awarded contracts to be paid with CDBG-MIT funds
- CDBG-MIT Quarterly Performance Reports
- CDBG-MIT statistics/graphics displaying expenditures and outcomes to date and projections
- A link to the CDBG-DR web page
- Additional reporting as required by HUD
- Information on the Citizen's Advisory Group for Mitigation

### 3. Website Process

The MO DED website coordinator will ensure that the CDBG-DR and CDBG-MIT web pages are reviewed monthly and updated as required by this website policy. The website coordinator will use the Monthly Website Update Checklist to complete the review. The website will be reviewed on the 30th of each month and updated materials will be posted by the 15th of the following month.

*Website Development and Administration Process*



*Responsible Staff*

Staff Name	Website Role	Contact Information
<b>CDBG Policy and Planning</b>	Website Coordinator	Candace Buford <a href="mailto:Candace.Buford@ded.mo.gov">Candace.Buford@ded.mo.gov</a> 573-751-3600
<b>CDBG Financial Management Team</b>	CDBG-DR Content Reviewer	Marcy Mealy <a href="mailto:Marcy.Mealy@ded.mo.gov">Marcy.Mealy@ded.mo.gov</a> 573-522-8569
<b>CDBG Financial Management Team</b>	CDBG-MIT Content Reviewer	
<b>Strategy and Performance Communication Team</b>	CDBG-DR Content Approver	Maggie Kost <a href="mailto:Maggie.Kost@ded.mo.gov">Maggie.Kost@ded.mo.gov</a> 573-751-9065
<b>Strategy and Performance Communication Team</b>	CDBG-MIT Content Approver	
<b>Strategy and Performance Communication Team</b>	Website Content Manager (Upload docs to websites)	



## Appendix 4: Citizen Participation Outcomes for the Draft Action Plan

### STATE OF MISSOURI CITIZEN PARTICIPATION OUTCOMES FOR THE CDBG-MIT DRAFT ACTION PLAN

The State of Missouri has a comprehensive Citizen Participation Plan for stakeholders and residents to be fully informed regarding participation in the State's CDBG-MIT Action Plan development. On February 19, 2020, the Draft CDBG-MIT Action Plan was posted on the CDBG-MIT website, made available in English and Spanish. Posting the Draft Action Plan on the website marked the beginning of the public comment period, which lasted from February 19 through April 4, a total of 45 days. (The Draft Action Plan remains available on the Mitigation website for public review.) In compliance with the Federal Register Notice, following the posting of the Draft Action Plan, the State of Missouri also released a public notice and press release on February 19, announcing the public comment period and upcoming hearings.

Later, on March 6, a public notice and press release announced the dates and locations of the in-person public hearings that would be held to review the proposed Draft Action Plan. The notice and press release included directions for requesting special accommodations (as outlined in the Citizen Participation Plan). Public hearings for the Draft Action Plan were originally scheduled as in-person meetings for the week of March 16 in the HUD MIDs: Doniphan, West Plains, Branson, and Neosho.

On March 13, the President officially declared the ongoing Coronavirus Disease 2019 (COVID-19) pandemic to be of sufficient severity and magnitude to warrant an emergency declaration for all States. Following State and Federal guidance on public gatherings, MO DED cancelled the in-person public hearings for CDBG-MIT due to concerns about COVID-19. A public notice was shared on March 16 to announce the cancellation of the in-person hearings and the transition to virtual webinars and telephone conferencing. By March 20, HUD released CDBG COVID-19 guidance via a virtual presentation and FAQs document. Included below is a reference to Question 8 regarding public hearings for CDBG-MIT grantees and program modifications from the FR-6218.

#### **Public Hearings for CDBG-MIT grantees:**

#### **Q8: Is there guidance from HUD on changes to public participation/hearing requirements? May grantees suspend the onsite public participation hearings for an action plan?**

*A: Yes. For CDBG-MIT grantees only, if a grantee is concerned about significant public health risks that may result from holding in-person public hearings, the Community Planning and Development Program is interpreting public hearings in the context of the CDBG-MIT Federal Register Notice to include virtual public hearings (alone, or in concert with an in-person hearing) if it allows questions in real time, with answers coming directly*



from the elected representatives to all “attendees.” HUD understands the exigencies of a public health challenge and will work with grantees who make the effort to comply with citizen participation requirements and document their efforts.

## II.A Program Modifications in the CARES Act

- *Title 12, Division B, CARES Act modifies some CDBG program requirements to provide immediate support for coronavirus efforts and includes:*
  - *Permits a public comment period of no less than 5 days when citizen participation is required.*
  - *Permits grantees to develop expedited citizen participation procedures and to hold virtual public hearings when necessary.*
  - *Eliminates the public series cap for coronavirus-related activities.*
  - *Allows States and local governments to reimburse allowable costs of eligible activities regardless of the date the costs were incurred.*

MO DED quickly made a switch and transitioned the public hearings to a virtual delivery through webinars and telephone conferences scheduled for March 25 at 12:00 p.m. and 6:00 p.m. An updated press release and public notice were shared with the public on March 20. All informational material and directions for virtual participation were made available in both English and Spanish on DED’s Mitigation website on March 20. Anyone who needed alternative accommodations was provided with a phone number and email address in order to request their accommodations. The public notice shared with the MO DED Listserv is below for review:



Department of Economic Development seeks public feedback on plan for spending \$41 million in disaster mitigation funds

Virtual webinars & phone conferences scheduled for Wednesday, March 25th

JEFFERSON CITY – Following State and Federal guidance on public gatherings, the Department of Economic Development (DED) has transitioned their in-person public hearings for CDBG-MIT to virtual webinars and phone conferences.

Cancelled hearings included those scheduled in Doniphan, West Plains, Branson, and Neosho. Webinars and telephone conferences have been scheduled for Wednesday, March 25th at 12:00 pm and 6:00 pm.

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#### How to Join the Virtual Webinar or Phone Conference

To attend the virtual sessions, please reference the URL or telephone number listed below. Upon dialing in or connecting online, you will be prompted to submit an access code. Details are listed below and unique to each meeting time.

Wednesday, March 25 – 12:00 pm

Access Code: 806 505 575

Join Online Video Session: Click [here](#).

Call-in Toll Number: 650-479-3207

Wednesday, March 25 - 6:00 pm

Access Code: 809 626 607

Join Online Video Session: Click [here](#).

Call-in Toll Number: 650-479-3207

In preparation, the Draft Mitigation Action Plan, a summary presentation, and updates about the plan have been posted in English and Spanish on the DED's CDBG-Mitigation website at <https://ded.mo.gov/mitigation>.

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#### Community Development Block Grant-Mitigation (CDBG-MIT) Funding

DED is seeking public comment on the Draft Mitigation Action Plan for spending \$41 million in Community Development Block Grant-Mitigation (CDBG-MIT) funds that have been allocated to Missouri by the U.S. Department of Housing

and Urban Development (HUD). These funds represent an opportunity for the State to assist areas impacted by the 2017 floods with the implementation of projects that will help communities reduce future disaster risks.

The Draft Mitigation Action Plan is available for review in English and Spanish on DED's CDBG-Mitigation website at <https://ded.mo.gov/mitigation>. Printed copies of the Action Plan can be requested by calling 573-751-3600.

Public comments must be submitted to the DED no later than April 4, 2020 at 11:59 pm via:

Email to [mocdbg-mit@ded.mo.gov](mailto:mocdbg-mit@ded.mo.gov)

Mail to Attn: Missouri CDBG-MIT, P.O. Box 118, Harry S Truman Building, Jefferson City, MO 65102

As communities dealt with changes to their schedules and duties, attendance for the virtual hearings was limited. Throughout the two live sessions, at least 23 individuals were able to attend online and submit questions or comments.

Noting the state of the Nation, amid a global pandemic, the CDBG-MIT Draft Action Plan remains available on the Mitigation website for public review in English and Spanish. Informational material, such as the webinar presentation that serves as the Draft Action Plan summary, also remains on the Mitigation website in English and Spanish for public review.

<b>March 25th, Virtual Public Hearing Attendance</b>			
<b>12:00PM</b>		<b>6:00PM</b>	
<b>First Name</b>	<b>Last Name</b>	<b>First Name</b>	<b>Last Name</b>
<i>Marcy</i>	<i>Mealy</i>	<i>Marcy</i>	<i>Mealy</i>
<i>Jeannie</i>	<i>Lahman</i>	<i>Sam</i>	<i>Komo</i>
<i>Deborah</i>	<i>Siefert</i>	<i>Deborah</i>	<i>Siefert</i>
<i>Melissa</i>	<i>Walker</i>	<i>Melissa</i>	<i>Walker</i>
<i>Sue</i>	<i>Southon</i>	<b>Drew</b>	<b>Holt</b>
<b>Michael</b>	<b>McMahon</b>	<b>Chylea</b>	<b>Denney</b>
<b>Kent</b>	<b>Sisco</b>	<b>Chad</b>	<b>Doolen</b>
<b>Chad</b>	<b>Doolen</b>	<b>Brandon</b>	<b>Jenson</b>
<b>Barbara</b>	<b>Charry</b>	<b>Heather</b>	<b>Hardinger</b>
<b>Shelby</b>	<b>Brandt</b>	<b>Barbara</b>	<b>Charry</b>
<b>Amy</b>	<b>Baugus</b>		
<b>Drew</b>	<b>Holt</b>		
<b>Gerritt</b>	<b>Brinks</b>		
<b>Steve</b>	<b>Schultz</b>		
<b>Tracy</b>	<b>Clements</b>		
<b>Darla</b>	<b>Tinker</b>		
<b>Tammy</b>	<b>Barkhoff</b>		
<b>David</b>	<b>Kennedy</b>		
<b>Crystal</b>	<b>Jones</b>		
<b>Ashley</b>	<b>Hart</b>		
<b>Michael</b>	<b>Hurlbert</b>		
<b>Rachel</b>	<b>Holcomb</b>		
<b>Questions/Comments</b>			
<b>Crystal Jones</b>	Are the State's MID counties all of the counties that were declared in DR-4317? <i>Response: Yes</i>		
<b>Brandon Jenson</b>	Can a community apply for funding for one project from multiple MIT funding pots? <i>Response: Yes, other sources of MIT funds can be leveraged (e.g., FEMA HMGP) to fund a mitigation project.</i>		
<b>Drew Holt</b>	Go back to the 2nd or 3rd slide that had the counties listed? I think that slide had a map		

## Public Comments

Although attendance for the virtual hearings was lower than Missouri had hoped for, the public comment period flourished. In total, 582 comments were received from the public for the Draft Action Plan. A summary of comments is provided below, followed by the list of public comments and Missouri’s response.

Missouri Comment Summary					
Delivery Method	Designation	# of Comments	Location	Category	Sub Category
Email	Resident	1	Carter County	Allocation Concerns	Excess Funding
Email	Local Government	1	Stone County, Branson MSA, Galena	Allocation Request	Infrastructure Unmet Needs
Email	Non-Profit Organization	1	St. Louis County, St. Louis	Allocation Request	Housing Unmet Needs
Email	Non-Profit Organization	1	N/A	Project Request	Public Information Services
Email	Resident	1	Jackson County, Kansas City	N/A	"The Wastewater Treatment Plant Workers' Higher Calling" Poem
Email	Local Government	1	Gentry County, Albany	Expand Citizen Participation	Northern Missouri
Email	Resident	1	Missouri	Project Recommendations	Buyouts; Flood Planning & Management; Building Codes & Enforcement
Email	Resident	1	Spanish Lake, St. Louis County	Allocation Request	Housing Unmet Needs
Email	Resident	1	Newton County, Neosho	Allocation Request	Housing Unmet Needs
Email	Non-Profit Organization	1	Missouri	Allocation Request	Building Codes & Enforcement
Emailed	Resident	1	Missouri	Allocation Request	Unblock Funding
Emailed	Non-Profit Organization	1	Missouri	Expand Project Description	Nature-Based Solutions for General Infrastructure
Mailed	Resident	1	Taney County, Branson	Project Request	Flood Planning & Management
Mailed	Resident	1	Taney County, Branson	Citizen Complaint	Wildlife/Wildlands Protection
Mailed	Resident	1	Taney County, Branson	Project Request	Tourist Tax
Mailed	Non-Profit Organization	1	Missouri	Draft Action Plan Correction	Nature-Based Solutions Public Voting - Doniphan
Emailed	Non-Profit Organization	1	Missouri	Project Request	Restorative Agroforestry Practices
Mailed & Emailed	Residents & Stakeholders	561	Taney County, Branson	Project Request	Branson's Wastewater Plant Flood Protection
Mailed & Emailed	Residents	4	Taney County, Branson	Project Request	Branson's Wastewater Plant Flood Protection - Recommendations
<b>Total Comments</b>		<b>582</b>			

**MO CDBG-MIT ACTION PLAN PUBLIC COMMENTS**

Date Received	Designation	# of Comments	Location	Category	Sub Category	Comment	Response
2/20/2020	Resident	1	Carter County	Allocation Concerns	Excess Funding	If I am not mistaken this will make available 20.5 million to Carter County. They don't have enough low income property to even come close to this amount to help with housing mitigation and relocating. If I am not mistaken all those affected have already received help. I have no problem with helping out Carter county, their county was devastated and I know they probably still need some help, but 20 million dollars, while there are so many other counties and people that the money could be used more wisely. With the corruption that has been uncovered in the county for other grant and federal monies, it is disturbing to me.	All CDBG-MIT funds will be allocated and monitored in accordance with the Federal Register Notice. Per the notice, 50% of funds must be spent in the HUD most impacted and distressed (MID) zip codes. Funds will be allocated to specific projects based on an application process TBD.
2/20/2020	Local Government	1	Stone County, Branson MSA, Galena	Allocation Request	Infrastructure Unmet Needs	I received an email from SMCOG regarding hazard mitigation for the 2017 flood. The CBDG-mitigation grant. My community suffered considerable damage during the flooding. We were eligible for assistance from FEMA, however with the 25% match and the need to pay for the work prior to reimbursement we were unable to obtain funding for the extensive project. The project was in the neighborhood of \$175,00.00. Our annual income in approximately 35,000 dollars. We receive less than \$3,000 in real estate tax revenue. If there is anyway some of these funds could be used to improve our community we could use all the help we can get. Our community is in Stone County, Missouri. It sits on the head waters of Table Rock Lake, where the James River meets Table Rock. Our topography is rather hilly. We do not have an effective water runoff system. Heavy rains continue to cause more erosion and damage to our already damaged roads. I have looked for assistance and guidance from Stone County with no results. Our Village government is run by a board of trustees, all the positions are volunteer. None of our trustees have experience running a community, nor experience seeking grants and funding. We sincerely hope that as a Missouri community that has been effected by flooding disaster and the potential of future disaster due to our location we could receive some assistance in mitigating some of the potential for further damage and hopefully repair much of the damage that was sustained during the April 2017 flood. If you can help us in anyway, we would be so very grateful.	Stone County is a State designated most impacted and distressed (MID) county and is eligible to apply for mitigation infrastructure funding up to \$2.5 million. Your county will be notified when applications are being accepted for these activities.

**MO CDBG-MIT ACTION PLAN PUBLIC COMMENTS**

2/19/2020	Non-Profit Organization	1	St. Louis County, St. Louis	Allocation Request	Housing Unmet Needs	Good afternoon. St. Louis County was impacted significantly by the floods of 2017. Many of the homes and surrounding areas experienced significant damages and corrosion of grounds / yards which will only get worse with time. We have had to deferred a number of homes from our weatherization program due to mold, standing water and foundation issues as a result.	St. Louis County is a State designated most impacted and distressed (MID). At this time, CDBG-MIT activities identified based on the Mitigation Risk Assessment, do not include housing rehabilitation. Other funds from regular State CDBG or CDBG-DR may be allocated in the future based on need and funding availability.
2/23/2020	Non-Profit Organization	1	Missouri	Project Request	Public Information Services	Is there a mechanism that would allow funding to anchor propane tanks in the affected areas? As DNR will affirm, one of the more hazardous outcomes of flooding is propane tanks that are not securely anchored which float away. Sometimes these become lodged under bridges or come to rest in locations that are unsafe or difficult for retrieval. Often, the tank belongs to a homeowner, not a propane company, which means our members don't have the ability to secure it in advance. However, if mitigation funds were available to allow homeowners to take this precaution prior to floods, it would reduce the numbers of lost tanks and subsequent clean-up. I'd be interested in pursuing this as a mitigation outcome from the block grant.	CDBG-MIT funded activities do not currently include individual mitigation for homeowners. MO-DED will monitor this need and if funds remain after completing the currently identified mitigation activities, this may become eligible in the future.
2/28/2020	Resident	1	Jackson County, Kansas City	N/A	"The Wastewater Treatment Plant Workers' Higher Calling" Poem	My name is Rickey Peters. I worked thirty years as a plant operator for Kansas City, MO. Water Department, Wastewater Treatment Division. While working, I advanced to an "A" level wastewater treatment certification. I retired thirteen years ago. Attached is my poem, "The Wastewater Treatment Plant Workers' Higher Calling." The purpose for writing the poem is my way of giving back to the water treatment profession. My hope is to highlight the enormous service the water treatment industry provides for humanity. Plus it could serve as a morale booster and a motivational charge to the men and women who gallantly serve to keep our waterways clean. Ultimately, my goal is to get my poem out to the WWTPs.	Thank you for your recognition of the important role waste water treatment plants play in our communities.
3/9/2020	Local Government	1	Gentry County, Albany	Expand Citizen Participation	Northern Missouri	My suggestion: hold some public hearings in the north part of the state, especially near Missouri River communities, many of which were devastated environmentally, geographically, and, most importantly, economically.	CDBG-MIT must address the HUD-identified most impacted and distressed (MID) zip codes tied to the 2017 disaster. CDBG-DR funds for the 2019 disasters will be eligible for some areas in the northern part of the State.

**MO CDBG-MIT ACTION PLAN PUBLIC COMMENTS**

3/7/2020	Resident	1	Missouri	Project Recommendations	Buyouts; Flood Planning & Management; Building Codes & Enforcement	<p>My feedback as an impartial taxpayer that has chosen to avoid buying homes that look like they could easily flood out: the money would be to use it in lowest cost/highest impact first. If you can install a drain in an area that will prevent a huge subdivision from being flooded, do so. If there isn't a low cost/high impact solution, then consider buyout for the lowest income where they cannot get private insurance. Permanently mark the land no further building on it, and set minimum state standards like not building in 100 year flood plains or whatever you decide is not prudent bailing out on a year in-year out basis. Update maps by Missouri if FEMA maps are at all out of date, and whichever map is more conservative about the flood risk, use that if there is a dispute. This way, local cities can't just relax standards now that puts them and other surrounding communities at risk for catastrophic flood later. Require builders to get 3 nationally accredited AM Best private insurance companies to give their estimates on proposed buildings, before building. Local fly-by night insurance groups that don't have the financial strength to actually insure need not apply. Coverage by national flood program does not qualify. The feds have all kinds of programs that encourages fiscal irresponsibility and unnecessary risk-taking. Builders that throw their weight around and wield a lot of clout with local politicians will have a much tougher time doing that at the state level, and have a fair open process that allows small homebuilders, local governments and all stakeholders a voice in what gets built where. Also you won't have one city taking out green space for development and another city (not knowing what the other hand is doing) taking out more green space, then by the end there is no conceivable place for water to go. I'm not for expanding the size of government just for the sake of it, just smart, common sense policy that every side can say, "I'm not overjoyed with this but I can live with it."</p>	<p>Thank you for your comments and thoughts on low cost/high impact mitigation activities. The State will take this under consideration.</p>
3/7/2020	Resident	1	St. Louis County, Spanish Lake	Allocation Request	Housing Unmet Needs	<p>I live in unincorporated Spanish Lake, Missouri, and I like many of my neighbors have been affected by the flood in 2017 and other floods. There had no assistance for me/us. I feel we are in a state all on our own until it comes to paying our taxes or bills. Why are we not included in disaster reporting or relief? Our sewer system has failed us during these floods causing extensive flooding and damages. Are we not a part of the American Democracy. I had an American Dream that is turning into a big let down and fight for my benefits that I and my family earned and are due!</p>	<p>Spanish Lake is in St. Louis County and is part of the State identified most impacted and distressed (MID) county. Sewer system mitigation is an eligible activity that can receive up to \$5 million through the State's application process. The application process will be announced once HUD as approved the CDBG-MIT Action Plan.</p>



**MO CDBG-MIT ACTION PLAN PUBLIC COMMENTS**

3/10/2020	Resident	1	Newtown County, Neosho	Allocation Request	Housing Unmet Needs	We like the area we are in! I hate the fact that it floods now! I would like to move from here if the problem cant be fixed...our only problem is we rent! What will happen to renters? We we get help on finding a place!	Neosho is located in a HUD most impacted and distressed (MID) zip code (64850) and eligible for the CDBG-MIT funds for mitigation activities. Mitigating future floods is intended to assist renters as well as homeowners. MO-DED will work with your community to identify potential mitigation projects to protect homes from future flooding.
3/11/2020	Non-Profit Organization	1	Missouri	Allocation Request	Building Codes & Enforcement	<p>I am writing on behalf of the International Code Council (the “Code Council”) to provide comments on the State of Missouri’s CDBG Mitigation Action Plan (CDBG-MIT) dated February 19, 2020. We commend the State of Missouri for the Action Plan’s emphasis to “carry out strategic and high-impact activities to mitigate disasters risk and reduce future losses”. The Code Council firmly believes the adoption of updated codes and proper training fits the Action Plan as well as the stated CDBG-MIT funding goals which advances long-term resilience and reduce or eliminate the long-term risk of loss of life, injury, damage to and loss of property. The Code Council is a member-focused non-profit association dedicated to building safety and sustainability and we are proud to count Missouri and many of its local jurisdictions as our Governmental Members. The Code Council develops the model building codes, the I-Codes, used in the design, build and compliance process to construct safe, sustainable, affordable and resilient structures. The I-Codes, including the International Residential Code (IRC) and the International Building Code (IBC), are the most widely used and adopted set of building codes in the U.S. and around the world. Developed through a consensus-based process, the I-Codes incorporate the latest technology and provide the safest, most resilient structures for our families and communities.</p> <p>STUDIES SHOW BENEFITS OF MODERN BUILDING CODES AGAINST DISASTERS</p> <p>Numerous studies confirm that the adoption and implementation of current model building codes is one of the nation’s best defenses against hurricanes, tornadoes, earthquakes, flooding and other natural disasters. For example:</p> <ul style="list-style-type: none"> <li>• The National Institute for Building Sciences’ Natural Hazard Mitigation Saves report found that adhering to current codes’ flood mitigation requirements in the floodplain saves \$6 for every \$1 invested.<sup>1</sup></li> <li>• In 2019 alone, the National Flood Insurance Program that is operated by FEMA paid out \$68.7 million to Missourians in a record year of massive flooding.<sup>2</sup></li> </ul>	CDBG-MIT funds are being made available for mitigation planning activities including creating more resilient building codes. Communities located in the HUD and State MIDs are eligible to apply for these funds. Once the CDBG-MIT Action Plan has been approved by HUD, information on the application process will be announced by the State.

**MO CDBG-MIT ACTION PLAN PUBLIC COMMENTS**

3/11/2020 (Cont)	Non-Profit Organization	1	Missouri	Allocation Request	Building Codes & Enforcement	<ul style="list-style-type: none"> <li>• Using the Insurance Service Office’s (ISO) Building Code Effectiveness Grading Schedule (BCEGS) data, researchers found effective and well-enforced building codes in Missouri reduced hail damage to homes by 10 to 20 percent on average.</li> <li>• In addition to the above report, ISO’s 2019 National Building Code Assessment Report outline clear advantages to adoption of the latest codes as well as proper enforcement. As stated in the report “The ISO industry data analysis is clear: Communities with well-enforced, up-to-date codes generally demonstrate better loss experience, both monetarily and in terms of human suffering. Reducing catastrophe-related damage and ultimately lowering insurance premiums provide strong incentives for communities to adopt and rigorously enforce effective building codes. Even so, code adoption and enforcement practices vary widely from community to community, even within the same state.”<sup>3</sup></li> </ul> <p>FEMA concluded in its most recent five-year strategic plan that current building code adoption and enforcement are two of the most effective mitigation measures a jurisdiction can undertake by stating: “[d]isaster resilience starts with building codes, because they enhance public safety and property protection.”<sup>4</sup> In the Plan’s very first objective, FEMA highlighted the importance of the Agency’s “advocate[ing] for the adoption and enforcement of modern building and property codes.”<sup>5</sup> In August of 2019, the Mitigation Framework Leadership Group (MitFLG)—chaired by FEMA and made up of another 13 federal agencies and departments as well as state, tribal, and local officials—released the National Mitigation Investment Strategy (NMIS). Recommendation 3.1 states “[u]p-to-date building codes and standard criteria should be required in federal and state grants and programs.”<sup>6</sup></p> <p>Lastly, FEMA’s “Required Minimum Standards” for all FEMA funded construction require the latest ICodes.<sup>7</sup> For post-disaster recovery, FEMA requires construction meet the latest editions of the IBC, IRC, International Existing Building Code, International Energy Conservation Code (IECC); International Wildland-Urban Interface Code (IWUIC); International Plumbing Code (IPC); International Mechanical Code (IMC); International Fuel Gas Code (IFGC); International Fire Code (IFC); ICC 500-14, ICC/NSSA Standard on the Design and Construction of Storm Shelters; ICC 600-14, Standard for Residential Construction in High-wind Regions . The Agency has deemed adherence to the current versions of these codes to be so important that it will not fund rebuilding of public facilities post-disaster if that construction deviates.<sup>8</sup></p>	
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**MO CDBG-MIT ACTION PLAN PUBLIC COMMENTS**

3/11/2020 (Cont)	Non-Profit Organization	1	Missouri	Allocation Request	Building Codes & Enforcement	<p><b>CODE ADOPTION AND ENFORCEMENT IN MISSOURI</b></p> <p>Unfortunate events like flooding and tornados have shown the need for Missouri to become better prepared to take mitigating steps to build stronger for the future. A fast recovery after a catastrophic event can be difficult; therefore, a streamlined and efficient regulatory process is important to getting people safely and quickly back into their homes and their jobs. Local jurisdictions may adopt, amend and enforce various editions of the I-Codes. Consequently, local building and development regulations are inconsistent across the state and jurisdictions facing hazard risk may not have adopted hazard resistant codes. Many Missouri jurisdictions are using outdated editions of the IRC and IBC.</p> <p>As described in the National Building Code Assessment Report, Missouri received a grade of 6/10 in both Commercial and Residential adoption and enforcement. Only eight states experienced lower scores. In addition, the national average related to training expenditures as a percentage of overall department expenditure is 2.48% and Missouri expends 1.84%.<sup>9</sup> Moreover, Missouri has no state mechanism for enforcing the building codes. This weak regulatory structure has unfortunately created a confusing patchwork of enforcement across the state. As a result, the state’s defenses against natural disasters are decreased. Many states across the country require the use and enforcement of the IBC and the IRC, among other building codes, as well as the certification and training of code enforcement officials and licensing and continuing education for building contractors.</p> <p>As such, the Code Council strongly encourages use of CDBG-MIT funds for improved code enforcement, including training, as code strong enforcement alone provides 15% to 25% in loss avoidance, in addition to the benefits provided by the underlying adopted codes. Additionally, based on the CDBGMIT program requirements which stipulate that a significant portion of the funding to be used in low-and moderate areas, the Code Council believes that special consideration should be given to expanding enforcement and monitoring in those areas of concern.</p> <p>Finally, the Code Council recommends allocating funding for disaster damage assessment training for code enforcement officials. When an event occurs, private sector damage assessment is often delegated to the local building official and/or their staff. Currently, there is no mandatory damage-assessment training associated with state licensing and as such, once an event takes place, it is often difficult to place field staff that are properly trained in damage assessment techniques and</p>	
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**MO CDBG-MIT ACTION PLAN PUBLIC COMMENTS**

3/11/2020 (Cont)	Non-Profit Organization	1	Missouri	Allocation Request	Building Codes & Enforcement	<p>requirements. Making funding available for code and enforcement is consistent with HUD’s recommendation on the allocation of funding as specified in its notice allocating CDBG-MIT funding. The Notice states that “through this allocation for mitigation, HUD seeks to [support] adoption of forward-looking land use plans that integrate the hazard mitigation plan, latest edition of the published disaster-resistant building codes and standards (to include wildland urban interface, flood and all hazards, ASCE-24, and ASCE-7 respectively).” As such, “[g]rantees are encouraged to propose an allocation of CDBG-MIT funds for building code development and implementation, land use planning and/or hazard mitigation planning activities . . . .” Within a state’s action plan, the applicant must “[p]romote local and regional long-term planning and implementation informed by its Mitigation Needs Assessment, including through the development and enforcement of building codes and standards (such as wildland urban interface; and flood and all hazards, including ASCE-24 and ASCE-7, as may be applicable).”</p> <p>STATE PLAN RECOMMENDATION: CONSTRUCTION STANDARDS (5.3) The Code Council applauds the Plan’s requirement of “Resilient Home Construction Standard”. FEMA requires the 2018 I-Codes as minimum construction standards. The Code Council urges Missouri to adhere to FEMA’s Minimum Standards in its programs both to promote greater resilience in the built environment and to promote consistency in the construction industry across programs as well as the State. We also suggest that the Action Plan consider pairing construction awards for communities with a requirement that award recipients update outdated codes, address unaddressed hazards through codes, and, if necessary, improve code enforcement. Necessary funding for code activities could be allocated through the CDBG-MIT Program Budget (5.4) under “Planning and Capacity Grants” (Table 23). Doing so also may help alleviate political concerns about updating codes by providing funding for a sought-after project. Absent a tie-in to community code updates, ICC fears funding mitigation projects in communities that lack current or well enforced building codes promotes piecemeal mitigation. We also believe that, consistent with the approach taken by the federal Disaster Recovery Reform Act (a bipartisan effort signed into law in 2018), the Action Plan should make communities with up to date and well enforced codes (or communities committing to achieving updated and well enforced codes) more competitive for grants under the CDBG-MIT program.</p>	
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**MO CDBG-MIT ACTION PLAN PUBLIC COMMENTS**

3/11/2020 (Cont)	Non-Profit Organization	1	Missouri	Allocation Request	Building Codes & Enforcement	<p>Finally, the Code Council recommends the Action Plan incentivize subrecipients to update to the most recent editions of the I-Codes that FEMA has recognized in its Minimum Standards, currently the 2018 editions, as they address all potential disaster hazards with the safest and latest hazard-resistant designs.<sup>10</sup> This will promote consistency of building codes across Missouri and will allow for the implementation of the safest and latest hazard-resistant designs for the state. The 2012 I-Code editions are not captured in FEMA’s current definition of a hazard resistant code. The 2018 edition also aligns with FEMA’s position on the adoption of current codes and the Agency’s prioritization in grant allocation:</p> <p>“FEMA supports the adoption and use of the latest published editions of the I-Codes as a minimum standard for hazard resistance, including flood hazards, high winds, and earthquake hazards. FEMA encourages states and communities to adopt the most recent edition of the I-Codes to ensure enforcement of the latest hazard-resistant provisions.</p> <p>This will increase safety and reduce financial losses for individuals, supporting more rapid recovery after disasters. For the purposes of evaluating whether a community is deemed hazard-resistant, FEMA considers the two latest published editions of the ICodes to be adequate. Additionally, new federal law and emerging policies tie some pre and post-disaster federal assistance to the latest editions of codes and standards.”<sup>11</sup></p> <p>SUMMARY We believe it is crucial for the CBDG-MIT Action Plan and associated programs to support efforts to enhance Missouri’s building codes<sup>42</sup> and their enforcement at both the State and local level. Studies prove that the adoption and enforcement of up-to-date building codes increase resilience to disasters and reduce or eliminate the long-term risk of loss of life, injury, damage to and loss of property. The Code Council is happy to serve as a resource to Missouri and to follow-up with additional materials or data to aid in your work. The International Code Council thanks the State of Missouri for the opportunity to comment on the February 19, 2020, CDBG Mitigation Action Plan.</p>	
3/17/2020	Resident	1	N/A	Allocation Request	Unblock Funding	Please do not block funding for CBBG-MIT.	Mo-DED is committed to partnering with Missouri communities to deploy CDBG-MIT funds and mitigage future disaster threats to our citizens. CDBG-MIT funds will be fully expended in compliance with HUD requirements.

**MO CDBG-MIT ACTION PLAN PUBLIC COMMENTS**

3/27/2020	Non-Profit Organization	1	Missouri	Expand Project Description	Nature-Based Solutions for General Infrastructure	<p>Thank you for the opportunity to comment on the State of Missouri’s Community Development Block Grant Mitigation (CDBG-MIT) Action Plan for areas impacted by the 2017 disasters (DR-4317). The Nature Conservancy (TNC) is a global conservation nonprofit organization with the mission to protect the land and water upon which all life depends. We have a 64-year history of land and water protection in Missouri and we own properties in the 63965 HUD MID zip code and multiple state MID counties that were impacted by DR-4317.</p> <p>We are encouraged by HUD’s emphasis on mitigation and natural infrastructure through this new CDBG-MIT program as evidenced by the Department of Housing and Urban Development’s Notice in the Federal Register Vol. 84, No. 169 / Friday, August 30, 2019. FEMA provides excellent guidance through their series of fact sheets including, “Guidance for Green Infrastructure Methods”, “Floodplain and Stream Restoration” and “Flood Diversion and Storage” (see attached).</p> <p>Also, we applaud that the Missouri Department of Economic Development’s CDBG-MIT Action Plan encourages green building and nature-based solutions where on page 100 the draft Action Plan states: “The majority of funds are allocated for infrastructure projects that mitigate future flooding such as raising low-water bridges and hardening critical public facilities to further protect homes and businesses. The State encourages green building and nature-based solutions as key components of proposed projects.”</p> <p>Currently, on page 70, General Infrastructure is described as “designing and implementing updated roads, bridges, culverts, etc.” And then in Table 22 on page 72, it’s described as “Increase resiliency for bridges, roads, drainage, etc.” (<i>italics emphasis added</i>)</p> <p>We believe it would be helpful to communities interested in designing and implementing nature-based solutions and natural infrastructure projects to add language in the draft Action Plan characterizing natural infrastructure. Specifically, we recommend adding language to General Infrastructure sections, such as “natural infrastructure, for example, restoring floodplains, wetlands, and riparian buffers, greenways, rain gardens, etc.”</p> <p>Thank you again for the opportunity to submit comments.</p>	<p>Thank you for reviewing the CDBG-MIT Action Plan for the 2017 disasters and pointing out where additional guidance can be provided regarding Green Infrastructure Methods. We have added this additional guidance to the recommended section.</p>
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**MO CDBG-MIT ACTION PLAN PUBLIC COMMENTS**

3/25/2020	Resident	1	Taney County, Branson	Project Request	Flood Planning & Management	I agree 100% with the proposed flood protection for the Compton Drive Waster Water plant. I would, also, like to note that there are other flood problems that need to be addresseed. The Government bodies, City of Branson and Taney County, approved the Flood Contol Plan for the Branson Hills development (Best Buy, Walmart, Target and Home Depot area). THe Plan was totally inadequate. I have investments down stream on Bee Creek that have been flooded several times since this development was built. This is a request that a plan to adequately prevent the flooding and restore the normal flow of Bee Creek to what it was before the development be implemented also.	The Mitigation Risk Assessment identified the need for mitigation planning projects throughout the HUD and State MIDs. The plan you describe is an eligible mitigation planning objective and can be submitted by your county once the Action Plan is approved by HUD and the State notifies potential subrecipients that the Mitigation Grant Planning application is available for submission.
3/25/2020	Resident	1	Taney County, Branson	Funding Accountability	Wildlife/ Wildlands Protection	I would like to know in detail how each dime is spent. Also it seems like land everywhere in Branson, especially by any water, is being developed...lots of empty buildings not rented out or for sale. People came to Branson to see trees, lakes, and wildlife. All the Wildlife is being wiped out and for what? Our community should look like another city. Rich people, poor (middle class)? 11 drug houses and empty places!	The CDBG-MIT funds are allocated by the U.S. Department of Housing and Urban Development (HUD). HUD mandates that all expenditure of funds meet federal cost requirements under 2 CFR 200. Costs must be necessary, reasonable, and allocable to the mitigation funds. The State is required by law to monitor the expenditure of the CDBG-MIT funds and report to HUD on a quarterly basis. The quarterly report provided to HUD will be posted on the CDBG-MIT website for public transparency.
3/25/2020	Resident	1	Taney County, Branson	Project Request	Tourist Tax	Really believe you should raise the Tourist Tax.	The CDBG-MIT Action Plan addresses identified risks in the HUD and State MID areas and proposes mitigation activities to address the identified risks. To our knowledge, this Action Plan does not have any influence on State Tax policy.

**MO CDBG-MIT ACTION PLAN PUBLIC COMMENTS**

3/27/2020	Non-Profit Organization	1	Missouri	Draft Action Plan Correction	Nature-Based Solutions Public Voting - Doniphan	<p>I would like to thank the Department of Economic Development for their efforts to engage communities on the contents of Missouri’s CDBG-MIT Action Plan. The opportunity to provide feedback and comments is greatly appreciated.</p> <p>In January, I attended both the hearings held in Van Buren and Doniphan, MO. I also participated in the voting held at the end of each hearing for the most important program features. As such, I would like to ask about the total votes listed for “natural infrastructure.” On page 99 of the draft Action Plan, I noticed that there are no votes for “natural infrastructure” from the hearing held at Doniphan. To my recollection, “natural infrastructure” received a significant number of votes as an important infrastructure improvement to protect from future disasters. While I do not remember the exact number, I would estimate that it was around one dozen. Is it possible for these votes to be included and taken into consideration in the final Action Plan?</p> <p>I ask the question above because I believe Doniphan and Van Buren are contemplating natural infrastructure practices (floodplain and riparian buffer restorations, greenway developments, installation of green water retention areas, etc.) as part of their plans and proposals for resilience against future flooding. Therefore, they will need funding to implement these activities.</p> <p>Again, I greatly appreciate the opportunity to comment on this process and the development of the state’s CDBG-MIT Action Plan and applaud the Department of Economic Development’s outreach and engagement of residents and communities throughout this process.</p>	<p>Thank you for your attendance at the information workshops and attention to detail in reviewing the draft Action Plan. We have corrected the voting report to accurately reflect the votes for natural infrastructure. The corrected workshop results are included in the final Action Plan.</p>
4/4/2020	Non-Profit Organization	1	Missouri	Project Request	Restorative Agroforestry Practices	<p>At Restoration Agriculture Development, we consult, design and install resilient farming systems and other ecological land-based systems. Each one of our projects is founded on the basis of optimizing water; surge-protection, drought-protection, erosion control, soil-building, safe drainage and distribution. From that point, our soils stay put, can build, harbor more even moisture, and yield more crops more reliably. As farmers ourselves, we understand the economic and ecological conditions that produce these instabilities that we are all experiencing because we all feel the impacts of erratic weather conditions right away. Last July, I visited Jefferson City for an agricultural workshop on elderberries and was brought to tears with the catastrophic flooding throughout the entire region. The water was so high that I couldn't access my hotel!</p> <p>No matter who you are or where you live on this planet, you are impacted by water. The folks in the state of Missouri are not an exception. The ways that people develop land, whether it be agriculture, housing, roadways, conservation, and so on, all deals with</p>	<p>The CDBG-MIT Risk Assessment identified flooding as one of the State's highest risks. The State has allocated \$13,309,440 in funds for General Infrastructure mitigation which can include natural flood control features as an eligible component of these activities. Additionally, the State has allocated \$3,119,400 in Mitigation Planning funds which potentially could be used to develop training programs for ecological water management systems. Applications for General Infrastructure and Mitigation Planning will be announced by the State once HUD has approved the Action Plan.</p>



**MO CDBG-MIT ACTION PLAN PUBLIC COMMENTS**

4/4/2020 (Cont)	Non-Profit Organization	1	Missouri	Project Request	Restorative Agroforestry Practices	<p>water. Our team has transformed thousands of acres worth of eroded and degraded agricultural lands into resilient, viable systems that stand the tests of time through the water management system followed by various agroforestry practices that are best-suited for each situation. Our water management protocol is in alignment with USDA-NRCS codes and can be reviewed in our book, Water for Any Farm, a guide we produced out from our decades of experience so as to empower anybody who wants to learn this to create resilient water management systems from which they can halt erosion, build their soils, prevent flooding catastrophes and produce reliable nourishment for the greater community. Once these systems are in-place, they last indefinitely with very little upkeep, saving untold amounts of funds. The alternative it to continue band-aiding the end-results of crop failures, flood control practices, infrastructure damage. We don't start putting up the windows and plumbing in a house whose foundation is not yet set, so why do we insist on doing that with the majority of our farms and our communities?</p> <p>I propose for a significant portion of the CDBG-MIT funds be directed towards mitigating catastrophic flooding situations through widespread education AND implementation of water management earthworks starting with farms located around more critical flood zones, followed by complimenting the water management systems with appropriate perennial crops to include another degree of food security and income. Developers, civil engineers, the architects, the construction crews, NRCS agents and farmers all benefit from a fundamental background in ecological water management systems. Without taking this crucial initial step, all developments and farms are still remaining significantly more vulnerable to climate catastrophes, which are becoming the norm. Our team has a lot of on-the-ground experience with teaching workshops to folks with all degrees of experience levels in working with water.</p> <p>This requires strategies that are different from those that got us into these predicaments in the first place. Water management works. Agroforestry works. So let's design all our systems to accommodate catastrophes, so no catastrophe will not ever catch us off-guard again. It would be an honor for us to open up a discussion with your team with regards to how we can all be of best service in aiding the state of Missouri in laying the literal groundwork as your basis for designing your ecological and economically-robust infrastructures. We are open to assist with any level of planning, designing, consulting and implementation. At minimum, I can suggest perennial food crop plantings to line riparian buffer zones that are adjacent to farmland that's most vulnerable to flooding.</p>	
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**MO CDBG-MIT ACTION PLAN PUBLIC COMMENTS**

2/28/2020-4/7/2020	Residents & Stakeholders	561	Taney County, Branson	Project Request	Branson's Wastewater Plant Flood Protection	<p>I am a concerned resident of the City of Branson. The City is in need of a flood protection system for the Compton Drive Waste Water Plant located along Lake Taneycomo. Extreme flooding events that have occurred over the last decade have made the community aware that the facility is at extreme risk of flood damage, including up to complete inundation of the facility. We recognize that this would cause a serious strain on community resources to replace the entire facility, with estimates in excess of \$80 million if it was destroyed by flood waters. Additionally, the surrounding community, including many communities in Taney County and Northern Arkansas, would experience severe environmental damage if the facility was to become offline due to flooding. Our concerns include reduced availability of clean drinking water and damage to local ecosystems including the Roark Watershed, Lake Taneycomo and Bull Shoals Lake. I fully support available mitigation funds to be used to provide for the protection of the wastewater treatment plant, public infrastructure, the local economy and regional natural resources.</p>	<p>A flood protection system for a waste water treatment plant is an eligible CDBG-MIT activity. The Compton Waste Water Treatment Plant is located within a HUD most impacted and distressed zip code (65616) and is eligible for up to \$5 million in CDBG-MIT funds through the State's application process. Applications will be announced after the Action Plan is approved by HUD. MO-DED will work with Branson to leverage other funds for any identified gaps.</p>
3/9/2020 - 3/31/2020	Residents	4	Taney County, Branson	Project Request	Branson's Wastewater Plant Flood Protection – Recommendations	<p>Please make interior [Branson's Wastewater Treatment Plant Flood Protection] wall appealing [Branson's Wastewater Treatment Plant Flood Protection] so that the wonderful staff/workers do not feel like they are in a jail, being as they will be enclosed/surrounded by concrete. Thank You!</p> <p>How about working on the smell over there?! [Branson's Wastewater Treatment Plant].</p> <p>However- I don't feel an expensive, unsightly wall is the answer. The [Branson Wastewater Treatment Plant] facility needs to be relocated. I'm sure there is less expensive alternative and we wasted millions on the 76 project - (Branson). What is cost to do upgrade not potential estimated cost that may or may not happen?</p>	<p>Relocation of the Wastewater Treatment Plant would far exceed the total allocation of CDBG-MIT funds. CDBG-MIT can pay for all necessary and reasonable costs associated with a mitigation project. Final design features will be determined once a project has been awarded funding and the engineering process begins. Design features should include aesthetic considerations as well within reason.</p>

## Appendix 5: Financial and Performance Projections

### Projections of Expenditures for the State of Missouri’s CDBG-MIT Programs

Updated August 2020

*(Amounts are in millions)*

	Calendar Year 2020		Calendar Year 2021				Calendar Year 2022				Calendar Year 2023				Calendar Year 2024			
<b>CDBG-Mitigation Programs</b>	<b>Q3</b>	<b>Q4</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>
Projected Expenditures by Quarter	-	0.11	1.66	3.65	5.64	7.63	8.79	11.03	13.27	15.50	17.33	19.15	20.53	21.90	23.28	24.66	26.04	27.42
General Infrastructure	-	-	-	0.22	0.22	0.22	0.22	0.76	0.76	0.76	0.76	0.76	0.54	0.54	0.54	0.54	0.54	0.54
Public Facility Hardening	-	-	-	0.22	0.22	0.22	0.22	0.76	0.76	0.76	0.76	0.76	0.54	0.54	0.54	0.54	0.54	0.54
Generators for Critical Facilities	-	-	0.83	0.83	0.83	0.83	-	-	-	-	-	-	-	-	-	-	-	-
Warning Systems	-	-	0.42	0.42	0.42	0.42	0.42	0.42	0.42	0.42	-	-	-	-	-	-	-	-
Mitigation Planning	-	-	0.12	0.12	0.12	0.12	0.12	0.12	0.12	0.12	0.12	0.12	0.12	0.12	0.12	0.12	0.12	0.12
Capacity Grants	-	-	0.07	0.07	0.07	0.07	0.07	0.07	0.07	0.07	0.07	0.07	0.07	0.07	0.07	0.07	0.07	0.07
MO-DED Planning	-	0.04	0.04	0.04	0.04	0.04	0.04	0.04	0.04	0.04	0.04	0.04	0.04	0.04	0.04	0.04	0.04	0.04
MO-DED Administration	-	0.07	0.07	0.07	0.07	0.07	0.07	0.07	0.07	0.07	0.07	0.07	0.07	0.07	0.07	0.07	0.07	0.07
Actual Quarterly Expenditures (from QPRs)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
General Infrastructure	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Public Facility Hardening	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Generators for Critical Facilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Warning Systems	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Mitigation Planning	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Capacity Grants	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
MO-DED Planning	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
MO-DED Administration	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

# ACTION PLAN FOR STATE OF MISSOURI

## COMMUNITY DEVELOPMENT BLOCK GRANT MITIGATION (CDBG-MIT)

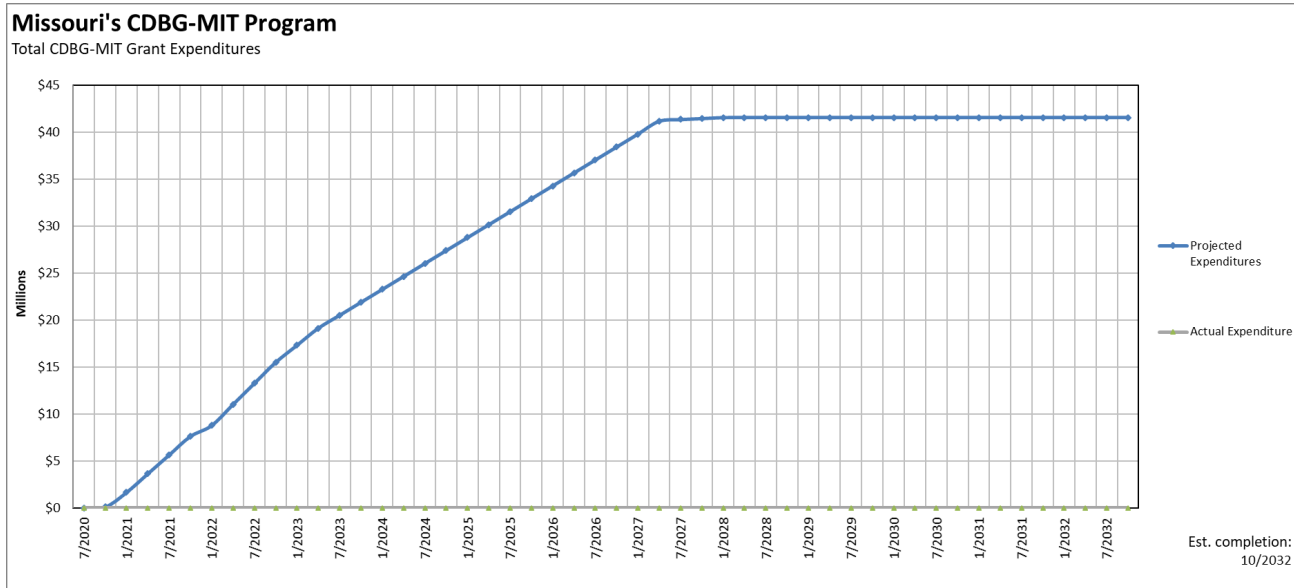
(Amounts are in millions)

	Calendar Year 2025				Calendar Year 2026				Calendar Year 2027				Calendar Year 2028			
<b>CDBG-Mitigation Programs</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>
Projected Expenditures by Quarter	28.79	30.17	31.55	32.93	34.30	35.68	37.06	38.44	39.82	41.19	41.37	41.48	41.59	41.59	41.59	41.59
General Infrastructure	0.54	0.54	0.54	0.54	0.54	0.54	0.54	0.54	0.54	0.54	-	-	-	-	-	-
Public Facility Hardening	0.54	0.54	0.54	0.54	0.54	0.54	0.54	0.54	0.54	0.54	-	-	-	-	-	-
Generators for Critical Facilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Warning Systems	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Mitigation Planning	0.12	0.12	0.12	0.12	0.12	0.12	0.12	0.12	0.12	0.12	-	-	-	-	-	-
Capacity Grants	0.07	0.07	0.07	0.07	0.07	0.07	0.07	0.07	0.07	0.07	0.07	-	-	-	-	-
MO-DED Planning	0.04	0.04	0.04	0.04	0.04	0.04	0.04	0.04	0.04	0.04	0.04	0.04	0.04	-	-	-
MO-DED Administration	0.07	0.07	0.07	0.07	0.07	0.07	0.07	0.07	0.07	0.07	0.07	0.07	0.07	-	-	-
Actual Quarterly Expenditures (from QPRs)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
General Infrastructure	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Public Facility Hardening	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Generators for Critical Facilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Warning Systems	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Mitigation Planning	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Capacity Grants	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
MO-DED Planning	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
MO-DED Administration	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

(Amounts are in millions)

	Calendar Year 2029				Calendar Year 2030				Calendar Year 2031				Calendar Year 2032			
<b>CDBG-Mitigation Programs</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>
Projected Expenditures by Quarter	41.59	41.59	41.59	41.59	41.59	41.59	41.59	41.59	41.59	41.59	41.59	41.59	41.59	41.59	41.59	1.59
General Infrastructure	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Public Facility Hardening	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Generators for Critical Facilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Warning Systems	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Mitigation Planning	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Capacity Grants	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
MO-DED Planning	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
MO-DED Administration	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Actual Quarterly Expenditures (from QPRs)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
General Infrastructure	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Public Facility Hardening	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Generators for Critical Facilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Warning Systems	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Mitigation Planning	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Capacity Grants	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
MO-DED Planning	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
MO-DED Administration	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

Note: This chart reflects expenditures as defined by HUD. Per what is stated in the Action Plan, the State of Missouri intends to spend most, if not all, of the CDBG-MIT funding by the 6-year expenditure deadline.



**Projections of Outcomes for the State of Missouri’s CDBG-MIT Programs**

Updated August 2020

CDBG-Mitigation Programs	Calendar Year 2021				Calendar Year 2022				Calendar Year 2023				Calendar Year 2024			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Projected Accomplishments by Quarter	14	42	73	98	108	118	128	132	132	132	134	134	134	134	134	135
General Infrastructure ( <i>cumulative</i> )	-	-	-	-	-	-	-	-	-	-	2	2	2	2	2	2
# of Infrastructure Improvements ( <i>quarterly</i> )	-	-	-	-	-	-	-	-	-	-	2	-	-	-	-	-
Public Facility Hardening ( <i>cumulative</i> )	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1
# of Public Facilities Hardened ( <i>quarterly</i> )	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1
Generators for Critical Facilities ( <i>cumulative</i> )	10	30	51	66	66	66	66	66	66	66	66	66	66	66	66	66
# of Generators ( <i>quarterly</i> )	10	20	21	15	-	-	-	-	-	-	-	-	-	-	-	-
Warning Systems ( <i>cumulative</i> )	4	12	22	32	42	52	62	66	66	66	66	66	66	66	66	66
Warning Systems ( <i>quarterly</i> )	4	8	10	10	10	10	10	4	-	-	-	-	-	-	-	-
Actual Quarterly Accomplishments (from QPRs)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
General Infrastructure	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Public Facility Hardening	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Generators for Critical Facilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Warning Systems	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

CDBG-Mitigation Programs	Calendar Year 2025				Calendar Year 2026				Calendar Year 2027				Calendar Year 2028			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Projected Accomplishments by Quarter	135	137	137	137	137	137	137	137	139	140	140	140	140	140	140	140
General Infrastructure ( <i>cumulative</i> )	2	4	4	4	4	4	4	4	5	6	6	6	6	6	6	6
# of Infrastructure Improvements ( <i>quarterly</i> )	-	2	-	-	-	-	-	-	1	1	-	-	-	-	-	-
Public Facility Hardening ( <i>cumulative</i> )	1	1	1	1	1	1	1	1	2	2	2	2	2	2	2	2
# of Public Facilities Hardened ( <i>quarterly</i> )	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-
Generators for Critical Facilities ( <i>cumulative</i> )	66	66	66	66	66	66	66	66	66	66	66	66	66	66	66	66
# of Generators ( <i>quarterly</i> )	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Warning Systems ( <i>cumulative</i> )	66	66	66	66	66	66	66	66	66	66	66	66	66	66	66	66
Warning Systems ( <i>quarterly</i> )	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Actual Quarterly Accomplishments (from QPRs)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
General Infrastructure	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Public Facility Hardening	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Generators for Critical Facilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Warning Systems	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

CDBG-Mitigation Programs	Calendar Year 2029				Calendar Year 2030				Calendar Year 2031				Calendar Year 2032			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Projected Accomplishments by Quarter	140	140	140	140	140	140	140	140	140	140	140	140	140	140	140	140
General Infrastructure ( <i>cumulative</i> )	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6
# of Infrastructure Improvements ( <i>quarterly</i> )	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Public Facility Hardening ( <i>cumulative</i> )	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
# of Public Facilities Hardened ( <i>quarterly</i> )	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Generators for Critical Facilities ( <i>cumulative</i> )	66	66	66	66	66	66	66	66	66	66	66	66	66	66	66	66
# of Generators ( <i>quarterly</i> )	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Warning Systems ( <i>cumulative</i> )	66	66	66	66	66	66	66	66	66	66	66	66	66	66	66	66
Warning Systems ( <i>quarterly</i> )	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Actual Quarterly Accomplishments (from QPRs)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
General Infrastructure	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Public Facility Hardening	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Generators for Critical Facilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Warning Systems	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

Note: The charts above reflect the initial estimates for CDBG-MIT performance outcomes based on the current program allocation. Based on the submitted applications and actual work performed, the actual charts will likely have different figures and will be reflected in the ongoing HUD Quarterly Performance Reports.

## Appendix 6: Signed SF-424D and CDBG-MIT Certifications

### Certifications, Waiver and Alternative Requirements for CDBG-MIT Action Plan – State of Missouri

24 CFR 91.225 and 91.325 are waived. Each grantee receiving a direct allocation of CDBG– MIT funds must make the following certifications with its action plan:

- a. The grantee certifies that it has in effect and is following a residential anti-displacement and relocation assistance plan in connection with any activity assisted with CDBG–MIT funding.
- b. The grantee certifies its compliance with restrictions on lobbying required by 24 CFR part 87, together with disclosure forms, if required by part 87.
- c. The grantee certifies that the action plan is authorized under State and local law (as applicable) and that the grantee, and any entity or entities designated by the grantee, and any contractor, subrecipient, or designated public agency carrying out an activity with CDBG–MIT funds, possess(es) the legal authority to carry out the program for which it is seeking funding, in accordance with applicable HUD regulations and this notice. The grantee certifies that activities to be undertaken with CDBG–MIT funds are consistent with its action plan.
- d. The grantee certifies that it will comply with the acquisition and relocation requirements of the URA, as amended, and implementing regulations at 49 CFR part 24, except where waivers or alternative requirements are provided for CDBG–MIT funds.
- e. The grantee certifies that it will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and implementing regulations at 24 CFR part 135.
- f. The grantee certifies that it is following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.115 or 91.105 (except as provided for in notices providing waivers and alternative requirements for this grant). Also, each local government receiving assistance from a State grantee must follow a detailed citizen participation plan that satisfies the requirements of 24 CFR 570.486 (except as provided for in notices providing waivers and alternative requirements for this grant). VerDate Sep2014 17:32 Aug 29, 2019 Jkt 247001 PO 00000 Frm 00033 Fmt 4701 Sfmt 4703 E:\FR\FM\30AUN2.SGM 30AUN2 jspears on DSK3GMQ082PROD with NOTICES2 45870 Federal Register / Vol. 84, No. 169 / Friday, August 30, 2019 / Notices
- g. State grantee certifies that it has consulted with affected local governments in counties designated in covered major disaster declarations in the non-entitlement, entitlement, and tribal areas of the State in determining the uses of funds, including the method of distribution of funding, or activities carried out directly by the State.
- h. The grantee certifies that it is complying with each of the following criteria:
  - (1) Funds will be used solely for necessary expenses related to mitigation activities, as applicable, in the most impacted and distressed areas for which the President declared a major disaster in 2015, 2016, or 2017 pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1974 (42 U.S.C. 5121 et seq.).



- (2) With respect to activities expected to be assisted with CDBG–MIT funds, the relevant action plan has been developed to give priority to activities that will benefit low- and moderate-income families.
- (3) The aggregate use of CDBG–MIT funds shall principally benefit low- and moderate-income families in a manner that ensures that at least 50 percent (or another percentage permitted by HUD in a waiver published in an applicable Federal Register notice) of the CDBG– MIT grant amount is expended for activities that benefit such persons.
- (4) The grantee will not attempt to recover any capital costs of public improvements assisted with CDBG–MIT 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) CDBG–MIT 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).
- i. The grantee 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), the Fair Housing Act (42 U.S.C. 3601– 3619), and implementing regulations, and that it will affirmatively further fair housing.
- j. The grantee certifies that it has adopted and is enforcing the following policies, and, in addition, must certify that they will require local governments 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 nonviolent civil rights demonstrations; and
  - (2) A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location that is the subject of such nonviolent civil rights demonstrations within its jurisdiction.
- k. The grantee certifies that it (and any subrecipient or administering entity) currently has or will develop and maintain the capacity to carry out mitigation activities, as applicable, in a timely manner and that the grantee has reviewed the respective requirements of this notice. The grantee certifies to the accuracy of its Public Law 115–123 Financial Management and Grant Compliance certification checklist, or other recent certification submission, if approved by HUD, and related supporting documentation referenced at section V.A.1.a of this notice and its implementation plan and capacity assessment and related submissions to HUD referenced at section V.A.1.b.
- l. The grantee certifies that it considered the following resources in the preparation of its action plan, as appropriate: FEMA Local Mitigation Planning Handbook: [https:// www.fema.gov/media-library-data/20130726-1910-25045-9160/fema local mitigation handbook.pdf](https://www.fema.gov/media-library-data/20130726-1910-25045-9160/fema_local_mitigation_handbook.pdf); DHS Office of Infrastructure Protection: [https:// www.dhs.gov/sites/default/files/ publications/ip-fact-sheet-508.pdf](https://www.dhs.gov/sites/default/files/publications/ip-fact-sheet-508.pdf); National

Association of Counties, Improving Lifelines (2014): [https:// www.naco.org/sites/default/files/ documents/NACo\\_ResilientCounties\\_Lifelines\\_Nov2014.pdf](https://www.naco.org/sites/default/files/documents/NACo_ResilientCounties_Lifelines_Nov2014.pdf); the National Interagency Coordination Center (NICC) for coordinating the mobilization of resources for wildland fire: [https:// www.nifc.gov/nicc/](https://www.nifc.gov/nicc/); the U.S. Forest Service’s resources around wildland fire ([https://www.fs.fed.us/managing-land/ fire/](https://www.fs.fed.us/managing-land/fire/)); and HUD’s CPD Mapping tool: <https://egis.hud.gov/cpdmaps/>.

m. The grantee certifies that it will not use CDBG–MIT funds for any activity in an area identified as flood prone for land use or hazard mitigation planning purposes by the State, local, or tribal government or delineated as a Special Flood Hazard Area (or 100-year floodplain) in FEMA’s most current flood advisory maps, unless it also ensures that the action is designed or modified to minimize harm to or within the floodplain, in accordance with Executive Order 11988 and 24 CFR part 55. The relevant data source for this provision is the State, local, and tribal government land use regulations and hazard mitigation plans and the latest issued FEMA data or guidance, which includes advisory data (such as Advisory Base Flood Elevations) or preliminary and final Flood Insurance Rate Maps.

n. The grantee certifies that its activities concerning lead-based paint will comply with the requirements of 24 CFR part 35, subparts A, B, J, K, and R.

o. The grantee certifies that it will comply with environmental requirements at 24 CFR part 58.

p. The grantee certifies that it will comply with applicable laws. Warning: Any person who knowingly makes a false claim or statement to HUD may be subject to civil or criminal penalties under 18 U.S.C. 287, 1001 and 31 U.S.C. 3729.

DocuSigned by:  
/ Robert B. Dixon /  
Robert B. Dixon  
Director, Missouri Department of Economic Development

8/31/2020  
Date

**ASSURANCES - CONSTRUCTION PROGRAMS**

OMB Number: 4040-0009  
Expiration Date: 02/28/2022

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0042), Washington, DC 20503.

**PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.**

**NOTE:** Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant:, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards of merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681 1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
13. Will comply, as applicable, with the provisions of the Davis- Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327- 333) regarding labor standards for federally-assisted construction subagreements.
14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq).
18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
20. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL  / Robert B. Dixon / Robert B. Dixon	TITLE  Director, MO Dept.of Economic Development
APPLICANT ORGANIZATION  Missouri Department of Economic Development	DATE SUBMITTED  8/31/2020