

Non-Substantial Amendment 1, Effective as of 5/19/2021

Previous Page #	New Page #	Section	Change/Addition/Deletion
56	N/A	VI. Projects and Activities	Updated "Office of Disaster Recovery" to "DEO"
60	N/A	Projects and Activities	Removed the following language in "Rounds II and III" of the General Infrastructure Program <ul style="list-style-type: none"> • Round II will commence in 2021 • Round III will commence in 2022
72	N/A	VII. Citizen Participation	Updated "Office of Disaster Recovery" to "Disaster Recovery Programs"
84	N/A	VIII. General Action Plan Requirements	Updated "Office of Disaster Recovery" to "DEO"
96	N/A	Appendix B - Survey Summary Report	Updated "Office of Disaster Recovery" to "DEO"

STATE OF FLORIDA MITIGATION ACTION PLAN

V. PROJECTS & ACTIVITIES

A. Program Budget

DEO is the lead agency and responsible entity for administering more than \$633 million in funds allocated to the state for mitigation and resiliency efforts through the Community Development Block Grant Mitigation program. In accordance with the Federal Register, DEO’s aggregate total for indirect costs and administrative and technical assistance expenditures will not exceed 5% of its total grant (\$31,674,250) plus program income. Planning costs are subject to the 15% cap (\$95,022,750) defined in 42 U.S.C. 5305(a) (12). The state is proposing a budget of 5% (\$31,810,750). Per the Federal Register, CDBG-MIT funds can be used to meet a matching requirement, share or contribution for other federal grant programs if they are used to carry out an eligible mitigation activity. This includes mitigation grants administered by FEMA and the United States Army Corps of Engineers. (The maximum amount for the US Army Corps of Engineers is \$250,000.) Activities that are funded with match dollars must meet the definition of a mitigation activity and must meet the eligibility requirements for the CDBG-MIT program and the federal program that is being aided with CDBG-MIT funds.

Eligible project delivery costs are presumed included as a portion of the overall CDBG-MIT grant funding allocation provided to each subrecipient. DEO will limit spending to a maximum of 13% of the total grant amount on a combination of planning and indirect and direct program administration costs. Subrecipients will be responsible for properly tracking and monitoring the expenses that may not be included as part of the overall grant award to each individual project or individual applicant as applicable.

Table 14: Allocation of CDBG-MIT Funds

Allocation of CDBG-MIT Funds				
Program	Allocation	Percent of Overall Funding	HUD-MID Area Allocation Minimum	LMI Designation Allocation Minimum
Infrastructure	\$550,000,000	87%	\$275,000,000	\$275,000,000
<ul style="list-style-type: none"> • General Infrastructure 	\$475,000,000	75%	\$237,500,000	\$237,500,000
<ul style="list-style-type: none"> • Critical Facility Hardening Program 	\$75,000,000	12%	\$37,500,000	\$37,500,000
Planning and Administrative Costs	\$83,485,000	13%		

STATE OF FLORIDA MITIGATION ACTION PLAN

applicants. Each project will be prioritized based on the overall score from each category of scoring criteria.

The CDBG-MIT Program will select projects based on the rankings from the scores with additional consideration to ensure that funding is applied in an equitable manner on a geographic basis. \$150 million will be available in Round I. The state anticipates that regional coalitions and local governments or local public entities will act as partners in the implementation of this program. Each round will have a competitive application process, with a minimum project cost of \$500,000 and no maximum limit.

Rounds II and III of the GIP are designed to be implemented with an emphasis on providing opportunities to communities that may lack the resources to put forth a quality application in Round I. The GPS Program will assist future applicants with prioritizing their mitigation needs to submit projects for upcoming GIP funding. Round II will make strategic investments on a competitive basis to implement programs and projects that align with mitigation objectives. \$175 million and any remaining unobligated funding from Round I will be made available in Round II. Projects will be ranked using the same prioritization methodology from Round I as their base. Round III will award the remaining program funding on a competitive basis to implement risk reduction and will incentivize the adoption of resilient policies on a regional basis. All remaining unobligated funds will be made available to fund projects submitted for the \$150 million allocation for Round III. DEO will utilize the same application and prioritization methodology from earlier rounds as a base for Round III.

- GIP Eligibility Criteria

To be eligible for funding, an application must:

1. Be in conformance with the State Mitigation Plan and Local or Tribal Mitigation Plan approved under 44 CFR part 201.4; or for Indian Tribal governments acting as grantees, be in conformance with the Tribal Mitigation Plan approved under 44 CFR 201.7;
2. Have a beneficial impact upon the designated disaster area;
3. Solve a problem independently or constitute a functional portion of a solution in which there is assurance that the project will be completed. Projects that merely identify or analyze hazards or problems are not eligible;
4. Consider the following for any flood mitigation project: high wind, continued sea level rise and ensure responsible floodplain and wetland management based on the history of flood mitigation efforts and the frequency and intensity of precipitation events.
5. As a condition of consideration for CDBG-MIT project funding, applicants will be required to identify their plans for funding operations and maintenance costs (when applicable). Long-term maintenance and operating costs are ineligible under CDBG-MIT funding except as identified at 84 FR 45838 Section V.A.9.

STATE OF FLORIDA MITIGATION ACTION PLAN

VII. CITIZEN PARTICIPATION

The citizen participation plan for the CDBG-MIT allocation will provide a reasonable opportunity of at least 45 days for citizen comment and ongoing citizen access to information about the use of grant funds. Before DEO adopts this Action Plan or any substantial amendment to this Plan, DEO will publish the proposed Plan or Amendment on floridajobs.org/rebuildflorida/mitigation, DEO's main CDBG-MIT website. DEO and/or subrecipients will notify affected citizens through electronic mailings, press releases, statements by public officials, media advertisements, public service announcements, newsletters, contacts with neighborhood organizations and/or through social media. DEO will ensure that all citizens have equal access to information about the programs, including persons with disabilities (vision and hearing impaired) and limited English proficiency (LEP). A Spanish and Creole version of the Action Plan will be available.

DEO's website includes an Interpretive Translation Notice informing citizens in 15 different languages that translation services are available upon request. DEO consulted the "Final Guidance to Federal Financial Assistance Recipients Regarding Title VI, Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons," published on January 22, 2007, in the Federal Register (72 FR 2732), in order to comply with citizen participation requirements. Upon subsequent publication of the Action Plan or substantial amendments, DEO will provide a reasonable opportunity of at least 45 days and have a method for receiving comments.

DEO will take comments via USPS mail or email at:

Attention: **Disaster Recovery Programs**
Florida Department of Economic Opportunity
107 East Madison Street
The Caldwell Building, MSC 400
Tallahassee, Florida 32399-2100
cdbg-mit@deo.myflorida.com

A. Publication

Before its adoption, the proposed Action Plan was published on the DEO website, floridajobs.org/rebuildflorida/mitigation for a 45-day citizen comment period on December 9, 2019. DEO incorporated and addressed citizen comments received during that period into the final Action Plan. A summary of public comments and responses can be found in **Appendix C**.

B. Public Website

DEO will maintain a public website that provides information accounting for how all grant funds are used and managed/administered, including: links to all Action Plans, Action Plan Amendments, CDBG-MIT program policies and procedures, performance reports, citizen participation requirements, and activity/program information for activities described in its action plan, including details of all contracts and ongoing procurement policies.

STATE OF FLORIDA MITIGATION ACTION PLAN

- Any public infrastructure or facilities funded with CDBG-MIT resources must illustrate their ability to account for long-term operation and maintenance needs beyond an initial investment of CDBG-MIT funds.

K. Cost Verification Procedures

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, the DEO will rely on licensed engineers responsible for project budget justification, construction code requirements and CDBG-MIT project funding maximums.

DEO will encourage subrecipients to consider the costs and benefits of the project when selecting CDBG-MIT-eligible projects. DEO may use an independent, qualified third-party architect, construction manager or other professional (e.g., a cost estimator) to verify the planned project costs and cost changes to the contract (e.g., change orders) during implementation are reasonable.

The proposed projects undergo application review which includes a cost verification. Each identified covered projects will be required to conduct a benefit cost analysis (BCA).

More detailed cost verification requirements for Covered Projects will be provided by the state in accordance with Section V.A.2.H. of the FRN, as applicable.

L. Monitoring Standards and Procedures

The state has adopted monitoring standards, including procedures to ensure program requirements (including non-duplication of benefits) are met, and to provide for continual quality assurance and adequate program oversight. These standards and procedures are included in the pre-award Implementation Plan as required by the Federal Register. Monitoring will be conducted by DEO, which will be supported by an external vendor procured through competitive solicitation to ensure that program activities progress toward timely completion and to allow for the early identification of potential issues and problems, so they can be prevented or corrected. Monitoring will also include environmental compliance under 24 CFR Part 58. DEO currently has staff that will oversee environmental compliance. Additionally, the current staff will be augmented by external vendors procured through competitive solicitation.

The **DEO** monitoring program includes desk monitoring and onsite monitoring with priority and frequency based on the results of a risk assessment of each subrecipient. The purpose of the risk assessment is to define the scope and focus of the monitoring efforts, including establishing a framework for determining the appropriate level of monitoring consistent with available resources. In addition, the risk assessment will be required each state fiscal year to guarantee continuous review of risks. DEO monitoring is based on criteria consistent with HUD guidance in assessing program risk. The risk assessment provides the basis for developing individual monitoring strategies and documents the decisions and recommendations regarding where to apply staff and travel resources for monitoring, training and/or technical assistance.

The Florida Auditor General and staff will act as the state's independent auditor and conduct financial audits of the accounts and records of state agencies. When applicable

STATE OF FLORIDA MITIGATION ACTION PLAN

Appendix B - Survey Summary Report

Introduction

The Florida Department of Economic Opportunity is the governor-designated state authority responsible for administering all long-term disaster recovery funds awarded to the state from the U.S. Department of Housing and Urban Development (HUD). In April 2018, HUD announced the state of Florida would receive \$633,485,000 from its Community Development Block Grant Mitigation (CDBG-MIT) program. Florida will use these funds in communities that experienced major disaster-declared events during 2016 and 2017. The expenditure of the CDBG-MIT funds will be guided by programs and activities identified in the state Action Plan.

The CDBG-MIT survey was created in anticipation of the Federal Register to engage stakeholders across the state and to learn more about their experiences and the status of their recent and current mitigation activities. The use of the CDBG-MIT survey is just one of the methods **DEO** has employed to generate necessary feedback.

The following summary details preliminary results of the CDBG-MIT survey which solicited statewide feedback from representatives of jurisdictions, organizations and businesses. The mitigation needs reflected in the survey helped to inform the development of the programs and activities in the Action Plan.

Survey Summary

The CDBG-MIT survey was deployed on May 31, 2019 and was closed for comments on November 30, 2019. The survey was made available on the DEO mitigation website and promoted through DEO communication channels.

The central question guiding the survey was “What are the current conditions regarding mitigation efforts throughout the state of Florida?” Respondents described various vulnerabilities and areas of needed improvement that fell within four major categories:

1. repetitive flooding;
2. infrastructure;
3. planning, building and design;
4. and equity.

Flooding is one of the predominant issues faced throughout most jurisdictions. The concerns include vulnerable infrastructure, repetitive flooding of homes and businesses, impacts to sewer systems and transportation networks. There is a great need to fortify and harden community lifelines such as transportation networks and hospitals and to enhance maintenance of vulnerable utilities. According to the survey, funding is the biggest barrier that communities have faced in their efforts to complete their structural and infrastructural projects.

Most activities completed by responding jurisdictions have been minor water conveyance improvements including drainage improvements and promotion of prevention measures such as natural hazard training. The purchase of flood insurance was encouraged. Activities that have been identified as needed, but not yet implemented, primarily include