

STATE OF MISSISSIPPI
HURRICANE ZETA
CDBG-DR
DRAFT ACTION PLAN
Grant No. B-21-DZ-28-0001
May 10, 2022

1 Executive Summary

1.1 Overview

On November 1, 2021, the U.S. Department of Housing and Urban Development (HUD) announced that the State of Mississippi was allocated \$28,470,000 in funding to support long-term recovery efforts following Hurricane Zeta throughout Harrison County. The Mississippi Development Authority - Disaster Recovery Division (MDA-DRD) has been designated by Governor Tate Reeves to administer this grant. Harrison County was identified by HUD as the “Most Impacted and Distressed” (MID) Area in Mississippi from Hurricane Zeta. Community Development Block Grant – Disaster Recovery (CDBG-DR) funding is designed to address needs that remain after all other assistance has been exhausted. This Action Plan details how these funds will be utilized to address those remaining unmet needs from Hurricane Zeta in Harrison County, Mississippi.

Appropriations Act

The Disaster Relief Supplemental Appropriations Act of 2021 (Pub. L. 117 – 43) (Appropriations Act) was passed to provide critical federal disaster relief funds to states and local governments for Presidentially declared disasters in 2020 and 2021. The initial allocation of slightly over \$2 billion in CDBG-DR funds for 2020 disasters is set forth, along with the governing requirements, in Federal Register Notice 87 FR 6364. The appropriating laws and implementing regulations require these funds to be used to satisfy a portion of unmet need that remains after other disaster assistance, such as Federal Emergency Management Agency (FEMA) grants, Small Business Administration (SBA) loans, or private insurance, has been received.

HUD uses the “best available” data to identify and calculate unmet needs for disaster relief, long-term recovery, restoration of infrastructure and housing and economic revitalization. Based on this assessment, HUD notified the State of Mississippi that it will receive an allocation totaling \$28,470,000 in CDBG-DR funding for recovery programs stemming from Hurricane Zeta, Federal Disaster 4576..

The Appropriations Act requires that the State must expend the funds within six years of the signed agreement between HUD and the State unless HUD grants an extension. All allocated funds will be used for eligible disaster - related activities only. To ensure that fraud, waste or abuse of funds does not occur, effective controls are to be put in place and continuously monitored for compliance. Additionally, the MDA-DRD Action Plan describes how the State will utilize and leverage other funding sources to address unmet needs.

Overall Requirements

- A. 80% of the total grant amount must benefit the MID Area
- B. 15% of the total grant amount must be designated for mitigation and resiliency activities
- C. 70% of the total grant must benefit low to moderate income (LMI) persons
- D. All funded activities must meet one of three national objectives:
 - a. Benefit LMI persons;
 - b. Aid in the prevention or elimination of slums or blight; or
 - c. Meet urgent needs.
- E. Programs must stem from an unmet recovery need not already addressed by other federal, state/local, non-profit, or private insurance. Grantees will be required to document a connection to the disaster.

Unmet Needs and Proposed Allocation

The MDA-DRD intends to utilize 100% of the CDBG-DR award in Harrison County, which has been identified as the MID. As directed by HUD, these funds will be applied to address unmet needs

and mitigation and resiliency activities. Five percent (5%) of the funds will be spent on the MDA-DRD’s planning and administration activities, including, but not limited to the following:

- Preparation of CDBG-DR Action Plan
- Carrying out its citizen participation plan
- Maintenance of the CDBG-DR website
- Preparation of required CDBG-DR quarterly reports
- Monitoring and compliance activities

Priorities

A. Address the needs of the most vulnerable LMI populations.

All housing programs implemented will satisfy the national objective of benefiting low- to moderate-income persons (detailed below). It is believed that the infrastructure program will also address this area as well as address the urgent needs created by the hurricane’s impact.

B. Aid the most substantial needs of Harrison County’s most vulnerable populations identified by the need assessment.

C. Mitigate risk and hazards due to future natural disasters

CDBG-DR Funded Activities

Funded Activity	Allocation	HUD Eligibility Criteria	National Objective
Housing	\$13,500,000 47% of total allocation	Rehabilitation of residential and non-residential buildings and improvements	Activities benefitting LMI persons
Infrastructure	\$9,833,500 35% of total allocation	FEMA match; public facilities and improvements Payment of non-federal share	Activities benefitting LMI persons and addressing urgent needs
Mitigation	\$3,713,000 ¹ 15% of total unmet needs calculated by HUD (13% of total allocation)	Repair/replacement of damaged public facilities	Activities benefitting LMI persons and addressing urgent needs
State Planning and Administration	\$1,423,500 5% of total allocation	Planning and Administrative Activities	N/A

¹ Amount specified by HUD in 87 CFR 6364 as mitigation set-aside for Mississippi.

Program Partners

MDA-DRD will work with various state and local partners, including local governments, non-profit organizations, community-based organizations, and public housing authorities to implement its recovery programs. See Section 3.4 of this Action Plan for a listing of MDA-DRD's program partners.

1.2 Disaster Specific Overview

Hurricane Zeta bombarded Mississippi with high winds that knocked out power for approximately 200,000 customers across the state. Zeta was a strong, fast moving, late-season storm that made landfall in Cocodrie, Louisiana during the evening of October 28, 2020 (Figure 1). Zeta approached the Gulf Coast as a Category 2 but quickly intensified to a Category 3 for a short burst of time. The eye of the storm passed directly over New Orleans, Louisiana, before crossing into southern Mississippi, bringing strong winds and storm surge all along the Mississippi coastline.² The National Centers for Environmental Information (NCEI) estimated Zeta inflicted approximately \$635 million of damage in Mississippi.³

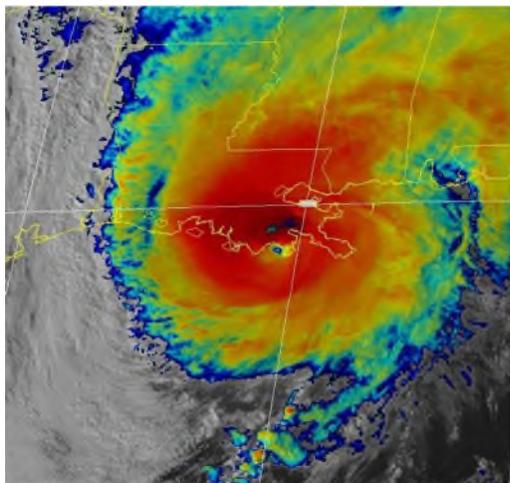


Figure 1: National Hurricane Center Image of Hurricane Zeta at 2109 UTC 28 October 2020

Wind Impacts

Hurricane Zeta produced 85 MPH maximum sustained winds in Gulfport, Mississippi. Although no confirmed tornadoes were recorded, it was reported by local news outlets that damage from the hurricane force winds resembled that of a tornado, severely damaging buildings and spreading debris for many square miles (Figure 2).⁴

Rainfall and Flooding

Due to the fast-moving nature of Zeta, the resulting flooding and rainfall had a limited impact in Mississippi. Most areas of the state recorded between 4 to 6 inches of rain, with a high of 6.87 inches noted in Leakesville, Mississippi. According to National Oceanic and Atmospheric

²https://www.nhc.noaa.gov/data/tcr/AL282020_Zeta.pdf

³https://www.nhc.noaa.gov/data/tcr/AL282020_Zeta.pdf

⁴<https://www.wlox.com/2020/11/02/hurricane-zetas-winds-caused-tornado-like-damage-where-strongest-winds-occurred-why/>

Administration (NOAA), the areas that received the highest amounts of rain were further inland from the coast of Mississippi.⁵

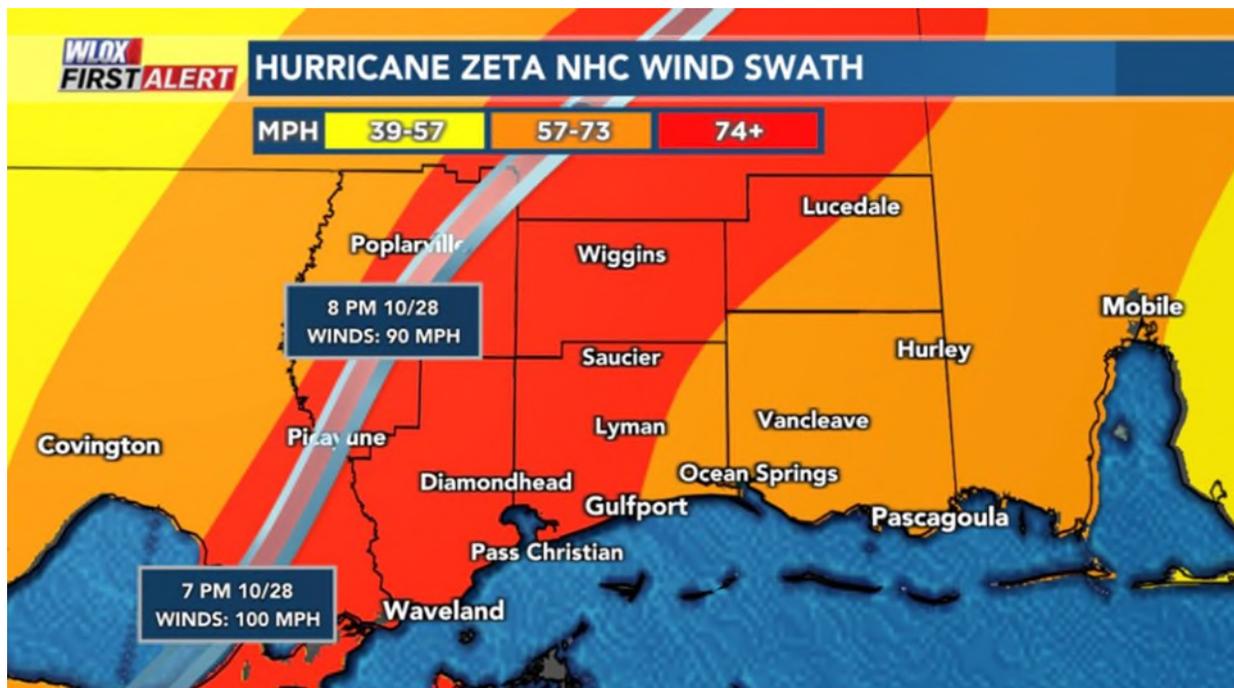


Figure 2: WLOX Hurricane Zeta National Hurricane Center Wind Swaths

1.3 Summary

The programs outlined in the Action Plan are supported by the findings of the unmet needs and mitigation analyses and are the consequence of conditions resulting from the impact of the storm as described in this overview. Further details are set out in the body of the Action Plan.

⁵ https://www.nhc.noaa.gov/data/tcr/supplemental/zeta_rain.xlsx

2 Unmet Needs Assessment

2.1 Introduction

Overall, the greatest portion of remaining unmet needs from the impacts of Hurricane Zeta is in housing and infrastructure. The MDA-DRD intends to leverage the limited resources to address remaining unmet needs for housing and infrastructure through a data-driven, balanced, and equitable approach. The MDA-DRD has determined that remaining economic damages are limited as they were addressed by multiple sources including state and federal pandemic assistance and well as SBA disaster assistance.

2.2 Housing Unmet Need

Evaluating remaining housing need multiple years past a disaster is always challenging. The determination of a refined count of damages has been more difficult to achieve without access to detailed, individual FEMA locations and damage estimates. In the absence of individual FEMA data and lacking the resources or time to gather the qualitative data which community-by-community and house-to-house surveys would have yielded, MDA-DRD has relied on consultation and data collection, when available, from state agencies, local governments, public housing authorities, housing advocates, charitable and relief agencies and community service organizations with deep ties to the most vulnerable populations and with broad past experience in assessing need and delivering services in prior disasters. In order to further inform the assessment, the Stennis Institute at Mississippi State University was asked to conduct additional research and provide supplemental documentation, which identified populations specific to the elements of vulnerability (e.g., disability, age, income, LEP status) and geographic location within the MID.

The scope and depth of information provided by these sources are necessarily limited by the passage of time and the pandemic constraints following Hurricane Zeta. Hurricane Zeta struck in late October 2020, just months after the pandemic's onset and just as the MID was emerging from the worst of Covid-19's impact. Generally, the MDA-DRD received broad, high level responses along with some detail about remaining damages. The agencies and organizations listed below provided important insights about the nature and extent of damages and the likely remaining need, in particular, for roof repairs for ownership and rental properties and to public and community agency infrastructure. Additionally, the information also raised the possibility that pandemic conditions and warnings may have kept some storm victims from reporting damages or being aware of available assistance.

The sources of information include the following:

- Mississippi Emergency Management Agency
- Harrison County: county administration, local emergency management agency, human resources, county engineer, and Sand Beach director
- Mississippi Center for Justice
- The Stennis Institute at Mississippi State University
- FEMA: Open FEMA Data
- Gulf Regional Planning Commission 2020 Interim Apartment Survey
- Harrison County Long Term Recovery Committee, a countywide non-profit organized to manage donations and volunteers following a disaster. The HCLTR was in place and

providing assistance immediately in the storm's aftermath. Its members represent a wide array of service, advocacy and charitable agencies:

- Gulf Coast Community Foundation
 - Open Doors Homeless Coalition
 - Catholic Charities
 - Mercy Housing
 - United Way of South MS
 - American Red Cross
 - Back Bay Mission
 - Climb CDC
 - Salvation Army
 - Gulf Coast Habitat for Humanity
 - Harrison County EMA
 - United Methodist Committee on Relief
- Moore Community House
 - Biloxi Housing Authority
 - Region VIII Housing Authority
 - City of Biloxi
 - City of Gulfport
 - City of Long Beach
 - City of D'Iberville
 - City of Pass Christian

While an analysis with greater specificity in counts of remaining unrepaired homes, displaced tenants, and unrecorded infrastructure is desirable, the MDA-DRD has a productive history of outreach using both traditional and community based approaches and is confident that a robust outreach effort, once programs are implemented, will refine the unmet need and may, in fact, inform modifications of the needs analysis and the response to those needs.

2.2.1 Disaster Damage and Impacts

The damage from Hurricane Zeta was not as extensive as it could have been. As other sections of the document detail, straight-line winds, fallen trees onto homes and infrastructure, and wind-driven debris created most of the damage. Severe damages, however, were likely mitigated in large part by the array of resilience tools employed following Hurricane Katrina: all new construction and reconstruction were undertaken under new, strict building codes adopted by the local jurisdictions; hurricane retrofit practices were followed by all housing receiving Katrina CDBG-DR support; housing and other structures in flood zones required elevation and covenants were placed on Katrina CDBG-assisted properties requiring the maintenance of hazard and flood insurance. Nevertheless, the volume of damage to roofs and infrastructure compounded the emotional, social, and

economic uncertainties created by the ongoing pandemic. The FEMA data for both the assessment of level of home damage and eligible assistance and the public assistance inspections and cost estimates confirm multiple but less severe damages to homes, while the damages to infrastructure and the amount of debris were significantly greater.

2.2.2 Single Family v. Multi-Family Needs; Owner Occupied v. Tenant

Most FEMA IA applicants by tenure are Owner-Occupied units; however, in the HUD-identified MID area of Harrison County, there are more Renter-Occupied units compared to the other disaster-declared counties. Of these Renter-Occupied housing units, the majority are in Multifamily or Single-Family structures. Harrison County accounts for approximately 55% of all owner and renter-occupied units that suffered real property damage from Hurricane Zeta. Almost twice as many homeowners applied for FEMA assistance versus tenants.

During the course of the unmet needs analysis, the MDA-DRD found that the public housing authorities (PHAs) and their development entities manage or administer most of the assisted affordable housing units and all of the Housing Choice Vouchers in Harrison County. Damage to these properties has been accounted for by the PHAs. SBA data shows that market rate property owners were approved for SBA loans, so the assumption has been made that some of those tenants would have been included in the FEMA tenant applications. (Without FEMA individual IA locations, matching tenants with losses to properties has been impossible.) In the course of examining housing need, concerns about tenants, in general, and mobile home and travel trailer tenants, in particular, have repeatedly been raised by respondents including the Harrison County EMA, the Harrison County Long Term Recovery Committee, and the Mississippi Center for Justice. The MDA-DRD anticipates that its outreach and application efforts will specifically identify these unmet needs and that the needs analysis will be modified to account for Hurricane Zeta-caused housing needs among these populations

The MDA-DRD calculated the level of damage for Owner-Occupied housing units using the following thresholds⁶:

- **Minor-Low:** Less than \$3,000 of FEMA inspected real property damage
- **Minor-High:** \$3,000 to \$7,999 of FEMA inspected real property damage
- **Major-Low:** \$8,000 to \$14,999 of FEMA inspected real property damage
- **Major-High:** \$15,000 to \$28,800 of FEMA inspected real property damage and/or 4 to 6 feet of flooding on the first floor
- **Severe:** Greater than \$28,800 of FEMA inspected real property damage and/or 6 or more feet of flooding on the first floor

The MDA-DRD calculated the level of damage for Renter-Occupied housing units using the following thresholds⁷:

- **Minor-Low:** Less than \$1,000 of FEMA inspected real property damage
- **Minor-High:** \$1,000 to \$1,999 of FEMA inspected real property damage
- **Major-Low:** \$2,000 to \$3,499 of FEMA inspected real property damage

⁶ Federal Register, Vol. 87, No. 23, February 3, 2022

⁷ Federal Register, Vol. 87, No. 23, February 3, 2022

- **Major-High:** \$3,500 to \$7,499 of FEMA inspected real property damage and/or 4 to 6 feet of flooding on the first floor
- **Severe:** Greater than \$7,500 of FEMA inspected real property damage and/or 6 or more feet of flooding on the first floor

Additionally, 6,523 applicants whose homes were damaged by Zeta had Real Property FEMA Verified Loss (RPFVL) and 10,736 applicants who asked for help from FEMA were found to have no RPFVL:

- Applicants with RPFVL: 6,523
- Applicants without RPFVL: 10,736

According to FEMA IA data, FEMA made payments to 4,744 applicants totaling **\$17,447,606**.

FEMA IA Real Property Damage of Owner-Occupied Units:

- Units with Minor-Low Damage: 1,326
- Units with Minor-High Damage: 2,564
- Units with Major-Low Damage: 269
- Units with Major-High Damage: 92
- Units with Severe Damage: 27

FEMA IA Real Property Damage of Renter-Occupied Units:

- Units with Minor-Low Damage: 902
- Units with Minor-High Damage: 615
- Units with Major-Low Damage: 435
- Units with Major-High Damage: 275
- Units with Severe Damage: 18

The storm impacted a variety of housing types; however, most impacted housing types were single-family/duplex homes (71%), followed by mobile homes (13%), and apartments (11%), totaling nearly 95% of all housing types impacted.

2.2.3 Public Housing and Affordable Housing

The MDA-DRD has relied on three primary sources for the most current information on public housing and affordable housing within the MID: the Gulf Regional Planning Commission's (GRPC) 2020 Interim Apartment Survey, the Region VIII Housing Authority (Region VIII) and the Biloxi Housing Authority (BHA). The Stennis Institute's data from the HUD's Office of Policy Development and Research Affirmatively Furthering Fair Housing (AFFH) and the U.S. Census Bureau provided valuable illustrations through maps of the distribution of Low-Income Housing Tax Credit (LIHTC) properties, Housing Choice Vouchers, Project Based Vouchers, and all subsidized housing by census tract. (Stennis Institute, Supplemental Documentation, pp. 10-13, maps 6-9).

The GRPC, working with W.S. Loper and Associates, has produced an annual apartment survey for the Mississippi Gulf Coast since 2004, skipping 2005 and 2006 due to Hurricane Katrina. The survey includes an analysis of existing and under construction apartment properties with more than eight rental units and an overall evaluation of market conditions

and reports on unassisted and assisted units. (Assisted rental units are subsidized by the federal government through programs such as the Housing Choice Voucher program). The most recent survey, Interim Apartment Survey, 2020, has been termed “interim” by GRPC due to limitations imposed by the pandemic and the record-breaking 2020-hurricane season, with numerous tropical systems in addition to Hurricanes Sally and Zeta, all of which impacted the Mississippi Gulf Coast.

This 2020 survey reported 9,519 assisted (affordable) units and 17,067 unassisted units in the three coastal counties. One third of all rental apartments in Harrison County are assisted (5,665 with 30 under construction) and 11,570 are unassisted. While there are identifiable LMI population concentrations within Harrison County, the assisted units including the HCA residences are broadly dispersed across the lower MID and generally concentrated either on the coastline or closely paralleling it.

Region VIII manages PHA and other assisted housing in ten counties in South Mississippi and administers Housing Choice Vouchers (HCV) in fourteen counties. The non-profit instrumentality of Region VIII has developed eleven mixed-finance developments including Low Income Housing Tax Credit (LIHTC), Annual Contributions Contract (ACC) PHA, and senior units, and manages non-ACC units. As of December 2021, Region VIII administered 8,049 units. All of the MID, Harrison County, with the exception of Biloxi, is served by Region VIII.

Region VIII reported no damages in Harrison County to either its PHA or other assisted units but did have damages to 111 units in neighboring Jackson County. Region VIII is expanding its affordable housing footprint in Gulfport, through the construction of 40 additional units. In order to build shelter-in-place resilience against inevitable future high winds and tornadoes, each unit will have safe room standards built into a second bathroom. Region VIII is seeking funding for this essential protective measure for its residents.

BHA and its nonprofit organization, the Biloxi Community Development Corporation (BCDC), provide housing to families in Biloxi through the Rental Assistance Demonstration (RAD) project and tenant based HCVs, LIHTC units, affordable market rate units, an assisted living facility, and an adult day care center. BHA also provides an array of services at its sites: early Head Start education, a computer lab, free health clinic, and referrals to community agency partners. Residents who are at or below 30% AMI occupy One Thousand Seven Hundred Forty-Three (1,743) or 80% of the BHA and BCDC units. Many of its properties, including the BHA operations center, are located in the Back Bay area where both surge and high winds caused substantial damage and reinforced the need to build greater resilience into the most vulnerable properties.

The BHA and BCDC provide housing to extremely low-income residents, where an average of 80% of their residents earn less than 30% of Area Median Income. BHA and BCDC properties sustained substantial damages from Zeta, including extensive damage that necessitated the need to replace nearly every roof.

The BHA and BCDC incurred significant out-of-pocket expenses and are in the process of settling their insurance claims. Assuming the insurance carrier pays for the Recoverable Depreciation and other outstanding claims, the BHA and BCDC will still have a remaining unmet need. These out-of-pocket expenses have restricted their ability to provide housing supportive services to their residents.

BHA and BCDC are developing relocation plans for several properties located within flood zones including its central office which has frequently been impacted by floods. As a result

of these repeated losses, the operational and insurance costs have become unsustainable. BHA has identified a property located out of the flood zone on which to relocate its central office. Support for the costs of acquisition and rehabilitation of the structure at the new location would allow the BHA to continue operations during a storm event or emergency and provide services to its residents.

As more data become available on the storm impact on public and affordable housing, the MDA-DRD will update this assessment accordingly.

Owner with Unmet Need in a Floodplain

The MDA-DRD will be unable to determine the number of owners with unmet need in a floodplain until the individual FEMA IA addresses become available or until individual applicants for assistance are evaluated for flood plain status. It is reasonable, however, to project that a significant number of damaged units will be in a floodplain given the concentration of greater damages suggested by the Harrison County Emergency Management Agency's map pinpointing damaged property sites.

The MDA-DRD is concerned at this point about its access to the necessary NFIP data which will confirm the status of flood insurance on a damaged property, as well as the amount of flood insurance received for duplication of benefits calculation. A request to begin the ISSA (Information Sharing and Access Agreement) process was made by the MDA-DRD to FEMA on March 11, 2022. After an initial affirmative response, FEMA notified the MDA-DRD on March 17, 2022, that a new data sharing process using a contractor at the FEMA HQ level was in place and that the MDA-DRD's request had been forwarded to that party. To date, no contract has been executed with the MDA-DRD by the contractor despite follow-up by MDA-DRD.

Insurance Claims and Losses

The MDA-DRD has no information on insurance claims and losses. There are yes and no queries as to insurance status but no indicator of claims and losses beyond that in either the SBA data or the publicly available FEMA data. These determinations will be made as individual applications for assistance are reviewed for eligibility and duplication of benefits and agreements for data sharing are in place with both NFIP and private insurers.

Home Loans Approved by SBA

SBA data show that 669 home loans were approved for Harrison County. Four hundred ninety (490) were declined based on creditworthiness or failure to repay prior SBA loans. The number of declinations based on creditworthiness may be an indication of the financial duress of homeowners and renters as the result of the early days of the pandemic. It is very likely, too, that the "mom and pop" owners of rental units would have already been overleveraged given the eviction ban and the increasing cost of flood and hazard insurance

Social Equity, Fair Housing and Civil Rights

Social Equity

Vulnerable Populations

MDA-DRD recognizes that vulnerable populations, such as low- and moderate-income households, the elderly, very young populations, and individuals with disabilities can be compounding factors when affected by

storm or flooding events. These populations contribute to a community's social vulnerability and its ability to recovery from a disaster.

Social vulnerability (SoVI) is a multi-dimensional concept adopted by FEMA and developed by the University of South Carolina's Vulnerability Research Institute. SoVI scores identify areas where people/communities have a lower capacity to prepare for, respond to, and recover from storm or event hazards. Identifying the pre-event social vulnerability of an area can aid in the development of response and recovery programs aimed at those populations who are most impacted and distressed.

There are 34 census tracts in the MID which are identified as being at highest risk for repetitive hurricanes, storm surge, and coastline erosion. Within these tracts, there are 59,816 housing units representing 65.5% of the MID's total housing units in 2019. Of the 34 census tracts, the SOVI identified five census tracts with "relatively high" SOVI ratings: census tracts 1, 3, 23, 26, and 29. Eighteen (18) census tracts have SOVI ratings of "relatively moderate" and three (3) census tracts have a "very low" social rating. Two of these three tracts, which are located at Keesler Air Force Base and the Gulfport -Biloxi Regional Airport were defined by the Department of Homeland Security as critical infrastructure. The remainder of the 34 tracts have "relatively low" SoVI scores. (See map 23, Census Tract Reference Map with Corresponding Social Vulnerability Scores from FEMA National Risk Index Data, in Supplemental Documentation, Stennis Institute, p. 28).

The U.S. Census Bureau's Community Resilience Estimates have been put forward as an index to augment the SOVI. The CRE index includes ten risk factors which include income to poverty ratio, single or zero caregiver households, crowding, communication barriers, households without fulltime, year-round employment, disability, no health insurance, age 65+, no vehicle access, and no broadband internet access. In contrast to the SoVI, all 34 of the highest hazard risk tracts have a CRE rating of relatively high.

The areas with relatively moderate to relatively high social vulnerability are concentrated along the Southwest coastal communities in Harrison County, the City of Gulfport, East Biloxi, the Back Bay, and Moss Point. These communities also experienced high rates of FEMA Real Property Verified Losses as a ratio to IA applications.

Concentrations of Poverty and Underserved Communities

The MDA-DRD used both FEMA IA data as well as several screens applied by the Stennis research team to identify concentrations of poverty and underserved communities. (See preceding discussion under vulnerable populations.)

The FEMA Open Data site reported 39,679 FEMA IA Disaster Applicants following Hurricane Zeta's impact, and 23,798 LMI applicants, accounting for 60% of all applications. In the MID county, LMI applicants accounted for 60% of all disaster applications. The statewide LMI analysis shows that 43%

of the population is LMI, which indicates that LMI populations were disproportionately impacted in the ZETA Area of Impact (“AOI”) in comparison to other areas of the state.

MDA-DRD has identified storm-impacted areas with high concentrations of poverty and low-moderate income households using the supplemental documentation from the MSU Stennis team. Mapping of the intersection of Hurricane Zeta Impacted Areas and distributions of low-Income Housing Tax Credit Properties, Housing Choice Vouchers, and Poverty Rates identified areas generally located along the coast of Harrison County, and within the cities of Gulfport and Biloxi. (See maps 6, 7, 8, and 9 in Supplemental Documentation, Stennis, pp. 10-13.)

Protected Classes, Racially and Ethnically Concentrated Areas

The Stennis team was asked to focus on hazard risk analysis, the identification of protected classes, vulnerable populations, and underserved communities at the census tract level. As part of this assessment, MDA-DRD has analyzed how the storm has impacted protected classes, and racially and ethnically concentrated areas to properly address how the use of CDBG-DR funds will impact these individuals and communities. While the impact on the protected classes will not be determined until the programs are implemented and applications are submitted, MDA-DRD has identified the census tracts with the greatest concentrations (by number) of racially and ethnically concentrated areas.

Twenty-two (22) census tracts lie directly on the coastline of the MID. These are the areas with the greatest risk of exposure to hurricane related storm surge and flooding. 43.5% of the population in those tracts consists of racial and ethnic groups that are categorized as minorities. With the distribution of subsidized housing across these 22 census tracts, it appears there is a relatively equitable geographic distribution of subsidized housing across the area with the exception of census tract 3 and census tract 37 where 29.7% and 23.8%, respectively, of the population live in subsidized housing. The Stennis team found that the minoritized population is geographically distributed across the coastal census tracts. The research also found that high reliance only on percentage rates could distort understandings of the actual number of people who may be impacted during natural disasters and by the inputs used during planning. As an example, in census tract 1 34.9% of the population lives in subsidized housing (80 people) and minority populations represent 52.8% (121 people) of the population but the total population of census tract 1 is 229 people. In census tract 6, 13.1% of the population lives in subsidized housing (171 people) and minority populations represent 21.7% (283 people) of the total population of 1,302 people within census tract 6. (See Maps 5 and 19, p 23 of the Supplemental Documentation, Stennis Institute at Mississippi State University, pp. 23.)

During the course of its recovery effort from Hurricane Katrina, the MDA-DRD developed a broad and intense outreach effort throughout the lower nine counties in South Mississippi to identify not only the most in need but also those individuals, including members of the protected classes, who had somehow not been reached by the usual means of outreach such a

traditional and social media, surveys, and public appeals. Instead, relationships were established with a diverse body of faith-based groups, community action and senior centers, veterans organizations, homeless service agencies, volunteer fire departments, health care providers, and community leaders in both rural and urban areas. The federal assistance process is complex and perplexing, baffling even the most astute and the MDA-DRD is approaching the delivery of Hurricane Zeta recovery assistance with the full knowledge that exceptional effort must be taken to reach those most in need. The MDA-DRD is already using and will continue to use this experience to inform the planning, design and development of recovery and mitigation programs that will advance the equity of programs, and reduce barriers that individuals may face when enrolling and accessing assistance, including but not limited to targeted marketing and outreach to these communities, or accessible language services for those with Limited English Proficiency (LEP).

Statewide Demographics and Disaster Impacted Population

Mississippi is a small state, with an estimated population of only 2,961,279. Six Hundred Sixty-Two Seven Hundred Sixty (662,760) members of that population (22.4%) were included in the Hurricane Zeta declaration and 31.5% of the total declaration population (208,621) in the MID. These numbers demonstrate the degree to which a natural disaster occurring on the Mississippi Gulf Coast impacts substantial portions of the state's population.

Other population data, which show the scale of the impacted population vs the remainder of the state, are these:

- Total state under 5: 183,599 (6.2%); disaster declaration 41,086 (22.4%) vs. 13,560 (33.0%) MID.
- Total state 65 years and older: 485,650 (16.4%); disaster declaration 105,843 (21.8%); 32,560 (30.4%) MID.
- Total state with disability: 294,600 (9.9%); disaster declaration: 70,066 (23.8%); 21,003 (30.0%) MID.
- Total state white or Caucasian: 1,750,116 (59.1%); disaster declaration 474,401 (27.1%); 141,445 (29.8%) MID.
- Total black or African American: 1,119,363 (37.8%); disaster declaration 151,833 (13.6%); 53,033 (35.6%) MID.
- Total American Indian and Alaska Native: 17,768 (0.6%); disaster declaration 3,411 (19.2%) 1,043 (30.6%) MID.
- Total Asian: 32,574 (1.1%); disaster declaration 16,248 (49.4%); 6,050 (37.2%) MID.
- Total Native Hawaiian and Other Pacific Islander: 2,961 (0.1%); disaster declaration 625 (21.1%); 209 (33.4%) MID.
- Total Other: 38,497 (1.3%); disaster declaration 16,242 (42.2%); 5,841 (36.0%) MID.

Education Demographics

The beginning point for the state's education demographics from a total state population, 25 and older:

- Total 25 and older: 1,979,664; disaster declaration 303663 (15.3 %); 135,348 (44.59%) MID.
- Total less than high school graduate: 290,917 (14.70%); disaster declaration 36,824 (12.31%); 15, 860 (44.27%) MID.
- Total high school graduate or equivalency: 598, 609 (30.24%); disaster declaration 92,572 (15.46%); 39,433 (42.60%) MID.
- Total some college, associate degree: 648,387 (32.75%); disaster declaration 108, 934 (16.8%); 48,842 (44.84%) MID.
- Bachelor's degree or higher: 270,712 (13.67%); disaster declaration 40, 585 (14.99%); 19, 813 (48.82%).

Income/Economic Demographics

- Statewide
 - Median household income: \$45,792
 - Per capita income: \$25, 301.
 - Income past 12 months below poverty level: 564,191
- Declared counties (average)
 - Median income \$48,354
 - Per capita income: \$23,763
 - Income past 12 months below poverty level: 94,723
- MID
 - Median income: \$27,594
 - Per capita income: \$25, 415
 - Income past 12 months below poverty level: 39,981

LMI Statewide Income Analysis

- Less than 50% LMI
 - Total LMI: 763,474
 - Total population: 289,892,895
 - Percent: 23.39%
 - Low Mod (80 % LMI)
- Total LMI: 1,230,909
 - Total population: 289, 892, 895
 - Percent LMI; 42.55%
- LMMI (Less than 120% AMI)
 - Total LMI: 1,748,935
 - Total population: 2,892,895
 - Percent LLMI: 60.46%

LMI Analysis: Federally Declared Disaster Area

- Total LMI disaster area
 - Applicant household composition: 23,798
 - Total disaster applicant population: 39, 679
 - Percentage LMI: 59.98%
 - Number possible additional LMI persons: 8,756
 - Possible additional Percentage LMI: 22.07%
- Total MID
 - Total population of disaster applicants: 23, 118
 - Percentage LMI: 60.79%

Number possible additional LMI persons: 5,037
Possible additional Percentage LMI: 21.79%

Mobile Housing Units Impacted by Disaster

2,189 mobile housing units (10.87% out of 20,134 total units) were damaged in the declared disaster area. In the MID, 874 units (11.88%) out of a total 7 354 units were damaged.

SNAP Applicants Impacted by Disaster

No SNAP-D benefits were authorized. Enhanced SNAP benefits were in place at the time of Hurricane Zeta's impact. SNAP beneficiaries who lost power and had food spoilage as a result were provided replacement SNAP benefits.

Limited English Proficiency Breakdown

A population of 190,987 individuals was used for this estimated calculation. Of this number, 5,089 (3%) were estimated to speak English less than "very well".

Languages Spoken within the State

This information is under review by MDA-DRD. The primary languages spoken in the MID are English, Spanish, and Vietnamese.

Affected Continuum of Care Entities

Information submitted from the Open Doors Coalition for the Homeless is still being reviewed for inclusion. The Open Doors Coalition coordinates the continuum of care for the Gulfport/Gulf Coast Regional CoC. At the time of Hurricane Zeta, 254 individuals were reported to be in the Gulfport/Gulf Coast Regional CoC. Hurricane Zeta hit the area at the height of the pandemic when data collection was difficult and at a time during which the eviction bans were in place and federal and state rental assistance programs were in place for both tenants and landlords. The Open Doors Coalition administered the federal COVID rental assistance program for the MID.

Hurricane Zeta occurred nearly two years ago and, in the intervening time, transitional housing as well as shelter and other support needs have, in part, been addressed. When the interview reviews are completed and additional need information is provided by Open Doors or any other source, MDA-DRD will adjust its needs analysis to address the identified need associated with Hurricane Zeta.

Point in Time Count—Type of Shelter

Information is incomplete for the dates and subsequent time following the storm.

Point in Time Count—Impacted by Disaster

Information is incomplete for the dates and subsequent time following the storm.

HUD Assisted Housing Impacted by Disaster

The Region VIII Housing Authority and the Biloxi Housing Authority and their non-profit entities manage a large portion of HUD assisted housing in the MID and administer all of the HUD voucher programs. Region VIII reported no damage to its properties in the MID. The Biloxi Housing Authority reported roof damage to most of its properties. (See Public Housing and Affordable Housing, Unmet Needs Assessment.)

Fair Housing and Civil Rights

Pursuant to the Fair Housing Act (principally Section 808(e)(5)) and HUD's rules and regulations flowing therefrom, the State of Mississippi and MDA-DRD is committed to eliminating racial and ethnic segregation, illegal physical and other barriers to persons with disabilities and other discriminatory practices in housing. In this regard, MDA-DRD will use this CDBG-DR funding to address this area and will use its programmatic and enforcement tools to achieve this goal. It understands and commits itself to the principle that affirmatively furthering fair housing means taking meaningful actions that are designed to overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics.

In determining for this grant allocation what those actions should be, MDA-DRD has examined the State of Mississippi's 2020-2024 Draft Consolidated Plan (<https://ms.z01.azurefd.net/wp-content/uploads/State-of-Mississippi-2020-2024-Consolidated-Plan-Draft.pdf>) and the housing strategies and goals set forth within it.⁸ There are generally three broad goals to be addressed:

- "Providing decent housing," including by "preserving the affordable housing stock; increasing availability of permanent housing that is affordable to low- and moderate-income persons without discrimination; and increasing the supply of supportive housing;"
- "Providing a suitable living environment," including by "improving the safety and livability of neighborhoods" and "increasing access to quality facilities and services;"
- "Expanding economic opportunities," including by "creating jobs that are accessible to low- and moderate-income persons" and "empowering low-income persons to achieve self-sufficiency to reduce generational poverty in federally-assisted and public housing."

Among the targeted strategies that the State has set forth are the following:

- Support non-profit homebuyer organizations to provide financial counseling and training to prospective homebuyers annually;
- Work with partners to provide landlord tenant fair housing education information to local units of government and provide fair housing education outreach information at scheduled trainings and workshops annually;
- Conduct mobility workshops with various partnering agencies annually;

⁸ This plan was developed after an extensive public comment period in early 2020, including a specific public input meeting held on March 13th in Gulfport, Harrison County, Mississippi, the MID for this grant.

- Promote access to housing programs for special needs households;
- Preserve affordable housing options through owner-occupied and rental rehabilitation;
- Work with Public Housing Authorities to develop housing outside of racially/ethnically-concentrated areas of poverty (R/ECAPS);
- Increase the supply of units that support living independence for persons with disabilities;
- Participate in conferences and education events sponsored by fair housing organizations to educate the public and support additional fair housing services at least annually;
- Coordinate with community or organizations to conduct outreach to realtors, lenders, PHAs, local governments, and related associations on an annual basis to use low-cost methods (such as web-based training) to introduce individuals annually to federal fair housing law and requirements that address priority fair housing concerns in Mississippi;
- Work with partners to conduct fair housing workshops and trainings at least annually and increase awareness during April (Fair Housing Month);
- Work with partners to provide fair housing outreach in newspapers of general circulation and minority-owned newspapers, electronic and social media applications at least annually; and
- Enhance the quality of Mississippi's public facilities.

Utilizing the Consolidated Draft Plan, along with HUD's "Fair Housing Planning Guide," MDA-DRD is adopting the specific goals and strategies set forth above. In this regard, it would outline the following measures it plans to undertake:

- Through its housing programs for the CDBG-DR allocation, the State will address the remaining unmet needs from Hurricane Zeta of low-income housing, both owner-occupied and rental, targeting and removing roof damage and retrofitting the roof to mitigate against future hurricane related damage. With these efforts, the State will preserve the affordable housing stock in Harrison County and improve the safety of those neighborhoods. Furthermore, especially with the efforts directed at the Public Housing Authorities, the State believes there will be an expansion of affordable housing for low-income citizens. Finally, the State is prioritizing its housing programs for the lowest-income citizens and members of the disabled community.
- Through its infrastructure program for the CDBG-DR allocation, the State will address Hurricane Zeta unmet needs of units of local government within Harrison County. Through data collection and mapping efforts, these projects will have great impacts for low-income communities to improve their safety and livability and increase accessibility to quality facilities and services, creating a more suitable living environment. Furthermore, some of these projects will protect and enhance the economic opportunities for low-income citizens.
- The State will partner directly with non-profit groups within Harrison County to provide financial counseling and training for low-income citizens; distribute fair housing education information to individuals, groups, and government entities; conduct fair housing workshops and training sessions on at least an annual basis (and make such sessions

mandatory for all CDBG-DR subrecipients and contractors); and publicize fair housing information in media outlets within Harrison County.

- The State will provide funding to local non-profit entities to create mechanisms to report and enforce possible violations of the Fair Housing Act.

In the years following the construction and/or funding of Katrina- based affordable housing, the MDA-DRD has been aggressive in its monitoring and compliance of affordability, tenant rights, HUD Housing Quality Standards (HHQS) and the pandemic eviction bans for all of the properties still in periods of compliance. This approach will remain in place along with existing emphasis on Fair Housing training and compliance for recipients of Hurricane Zeta housing funds. In addition, since a number of the non-profit housing advocacy and assistance groups located in the coastal counties have either closed or relocated following Hurricane Katrina, the MDA-DRD will work to support and strengthen the work of advocates who have remained and have a focus on Fair Housing and access concerns in the MID.

MDA-DRD will periodically monitor this area and the actions undertaken by it and will analyze the results of those reviews to reassess these goals and actions. Furthermore, MDA-DRD will continuously communicate with its partners to gain insight on progress being made to achieve the goals set forth herein and address any gaps or barriers that might exist or develop.

2.3 Infrastructure Unmet Need

Infrastructure systems affected by Hurricane Zeta included damage to buildings, roadways, bridges, utility systems, and other public facilities. Indeed, no part and no population segment of Harrison County was untouched by infrastructure damage, from either straight-line winds, fallen trees, flying debris, or a combination of some or all. Power lines were down; trees were on homes and mobile homes; roads were closed from fallen trees and debris; traffic signal systems were destroyed or disrupted; and county wide roof damage to homes, schools, health care systems, public safety and governmental services buildings, businesses, public and private recreational facilities, and community services buildings was widespread and serious. Debris from the storm was remarkable in both its volume and spread. The MDA-DRD, as part of the Hurricane Zeta comprehensive long-term recovery program and in support of the efforts of the local governments and communities in the MID, understands that the repair and enhancements to build resilience into local infrastructure must be undertaken as vital to not only the restoration of housing but also for the protection and viability of the entire MID.

The immediate recovery efforts have been well documented by the initial project worksheets submitted for FEMA Public Assistance (PA). Based on the size of the impact area and different types of recovery that will be necessary, the FEMA PA data are the best available data set to determine infrastructure needs and serve as a primary indicator of the specific infrastructure recovery needs in the impacted county. Information provided by the county as well as by the cities in the MID confirm the validity of the FEMA PA data and the need for local match assistance.

To better understand the scope of infrastructure damages, a review of the FEMA PA categories is useful:

- *Debris Removal* – includes removal of debris that occurred immediately after the storm.
- *Emergency Protective Measures* – includes activities to eliminate or reduce an immediate threat to life, public health or safety, or significant damage to improved public or private property.

- *Roads and Bridges* – includes all roads and bridges throughout unincorporated Harris County and the cooperative cities. This includes port facilities and similar facilities that may be under the jurisdiction of Federal Highway Administration (FHWA). Both local roads and FHWA funded roads are included; however, funding for 100% FHWA funded roads are assumed as an unmet need.
- *Water Control Facilities – (Flood Control/Storm water)* –includes all infrastructure dealing with storm water management and flood control, such as drainage canals, ditches, culverts, storm water pipes, etc.
- *Buildings and Equipment* - includes publicly owned buildings, such as City Departments, Fire Stations, Police Stations, Call Centers, Emergency Operations Centers, Community Centers, etc.
- *Public Utilities* –includes power generation facilities, natural gas, infrastructure dealing with water production, treatment, and delivery and infrastructure dealing with wastewater collection and treatment.
- *Parks, Recreational Facilities, and Other Items* –includes all parks and recreational facilities.

FEMA PA data⁹ reveal overall PA project costs of over \$111.6 million, with short-term debris removal and emergency measures accounting for \$59.8 million dollars of costs (53 %) of all PA project costs). Of the longer-term permanent work projects, FEMA data reveal that public utilities required the most financial assistance at \$20.6 million. These estimated costs for utility-related projects account for nearly 40% of permanent PA funding, with work needed at 43 sites. Projects for parks, recreational facilities, and other items had the next highest demand, with estimated costs of nearly \$13 million dollars at 90 project sites. Repairs to buildings and equipment represent the next highest need, with \$9 million dollars of costs at 147 sites. Mississippi was fortunate that transportation infrastructure, other than the closure of U.S. 90 due to multiple instances of sand washed from the beaches over the road, was not heavily affected by Hurricane Zeta. The sand beach-related closure of this main artery for accessing the cities in the MID as well as housing, tourism, and job sites along the coastline will be addressed in the MDA-DRD's mitigation-only analysis. Other than this recurring and major impact, only \$3.9 million dollars of road and bridge projects were submitted to FEMA, accounting for only 8% of the permanent work project costs submitted. The nature of Hurricane Zeta as a primarily wind event minimized more severe transportation infrastructure damages.

In the conduct of its unmet needs analysis, the MDA-DRD is learning that buildings owned by non-profit service agencies, especially those serving LMI children, the elderly, and disabled community members may have had roof damage which was not fully covered by insurance. As the evaluation of infrastructure needs continues, the MDA-DRD anticipates that community service agencies with high insurance deductibles or other gaps in repair funding may not have been able to repair those structures. The needs analysis will be adjusted accordingly in view of those circumstances.

Mississippi has a long and well-documented history of dealing with natural disasters including those, which have completely destroyed great swaths of infrastructure. As a result, the MDA-DRD has had an early commitment to building resilience against inevitable disasters. With Hurricane Zeta, the MDA-DRD continues its commitment to rebuilding while prioritizing resiliency efforts to mitigate future effects in its most vulnerable areas.

⁹ <https://www.fema.gov/openfema-data-page/public-assistance-funded-projects-details-v1>

In the case of infrastructure recovery and resiliency solutions, the MDA-DRD has already undertaken and will continue to undertake the following actions to harden infrastructure:

- Adopting and enforcing (following Hurricane Katrina) a rigorous building code designed to protect both infrastructure and housing against future damages;
- Elevating critical systems and facilities, above base flood elevation and/or enhancing flood proofing measures;
- Installing backup power generators for critical systems (water, sewer, schools, emergency operations);
- Avoiding an increase in impervious cover by keeping projects in their original footprint and encouraging the use of building practices that allow for more pervious coverage, when possible;
- Replanting with vegetation chosen to preserve the natural environment; and
- Installing retention basins, larger culverts and debris guards, erosion control solutions, and back-up communication systems; and
- Supporting local community efforts to enhance building codes and regulation.

2.4 Economic Revitalization Unmet Need

MDA-DRD has carefully considered how to prioritize the use of the Hurricane Zeta recovery funds to address the points of greatest need for the most vulnerable populations and the public functions, which serve them as well as the entire population in the MID. Based on the findings outlined below, MDA-DRD has concluded that any remaining need in the area of economic revitalization is being addressed by these programs and that the limited CDBG-DR funds available for Hurricane Zeta recovery should be focused on housing and infrastructure recovery projects

2.4.1 Disaster Damage and Impacts

Entities such as small businesses, small agricultural cooperatives, and most private nonprofit organizations in the MID were eligible to apply for low-interest SBA loans to assist with operating expenses, working capital, machinery, equipment, and other real-property damages as a result of Hurricane Zeta. This SBA data is well documented and serves as the primary source of economic loss information for this report¹⁰.

The SBA data indicates that the effect of Hurricane Zeta on the economy of the impacted areas was minimal relative to housing and infrastructure areas. The SBA processed just 147 applications, approving 93 awards with verified losses totaling \$7.3 million dollars. Including data from declined loans, total losses for Mississippi businesses were approximately \$10 million dollars. The verified loss amount for the majority (57%) of approved SBA files were in categories 1 or 2 (<\$12,000 and \$12,000-\$29,999, respectively), indicating that the business community of southern Mississippi suffered relatively low effects from Hurricane Zeta, and those that did were able to utilize the SBA program for recovery.

Additional economic supports associated with the pandemic were also running concurrently with Hurricane Zeta in the MID and certainly mitigated the impact of the storm on the economy. Mississippi launched the Back to Business Grant Program on May 29, 2020 and provided \$240 million in grants focused primarily on small businesses, with a set aside of

¹⁰ <https://www.sba.gov/document/report-sba-disaster-loan-data>

\$40 million in the first 60 days of the application period for minority businesses. This program was specific in its intentions to assist businesses with 50 or fewer employees, including sole proprietorships and businesses, which operated from homes in which the customers came to the home or when the owner conducted business on the customer's premises. The federal Paycheck Protection Program (PPP) also began payments in the first quarter of 2020. Mississippi received over three billion dollars for the PPP loans, most of which were eligible for forgiveness. Nearly 300 PPP loans were made to businesses in the MID and likely met the qualifications for forgiveness. Further, the majority of the primary employers in the MID had reopened by October 2020 as reflected in the unemployment rate for Harrison County (6.4% in October 2020, down from 17.2% May 2020). Hurricane Zeta seems to have had little impact on the unemployment rate in the immediate months after the event (6.7% in December 2020) and the rate has continued to fall to the current unemployment rate of 3.4% in the MID.

Based on these findings, the MDA-DRD has concluded that an unmet need in the area of economic revitalization is minimal and that the limited CDBG-DR funds available for Hurricane Zeta recovery should be focused on housing and infrastructure recovery projects

2.5 Mitigation Only Activities

People and assets in the productive Mississippi coastal region are routinely exposed to weather and climate-related hazards. Mississippi's coastal region is low lying due to its sedimentary history and is prone to flooding at many locations each year due to heavy rainfall events, hurricanes, tropical storm surges, high tides, and strong waves. Impacts from these events can range from mere inconvenience to damaged property, bodily injury, and death. As global sea level rises, higher water levels exacerbate the impacts of these incidents, resulting in deeper floods that last longer and extend further inland. Additionally, as the climate changes, some coastal hazards are projected to increase. Rising sea levels represent a significant threat to coastal communities and ecosystems, including altered habitats and increased vulnerability to coastal storms and recurrent inundation.

Hurricane Zeta impacted the Mississippi coast with peak winds of 110 miles per hour and wind gusts of 101 miles per hour recorded in Gulfport, Mississippi. "In Mississippi, the strongest sustained wind report received by NOAA was from Gulfport where sustained winds of 74 kt (85 miles per hour) and gusts of 88 kt (101 miles per hour) were reported at 0057 UTC on October 29." Hurricane Zeta produced storm surge inundation of 6 to 10 feet above ground level across the Mississippi coast and particularly in the back bays.

The NCEI estimated that Hurricane Zeta caused \$4.4 billion of damage in the United States and estimated that about "*\$635 million in damage was caused in the state of Mississippi with the worst damage from Zeta occurring in the coastal counties of Hancock, Harrison, and Jackson which were affected by sustained hurricane-force winds. The most extreme damage was in Harrison County.*" The storm surge flooding caused hundreds of roads to become impassable and portions of U.S. Highway 90 were underwater. Hurricane Zeta delivered significant impacts to the beaches in Louisiana, Mississippi, and Alabama with major dune erosion.

Given the multiple potential climate-related threats facing the MID and its population, particularly the most vulnerable, MDA-DRD engaged a multidisciplinary research team Stennis to assist in identifying the mitigation-only activity which would best avoid potential sociospatial disparities and build resilience into one of the most fragile elements of infrastructure in the MID. This research,

combined with prior and current concerns identified by all of the local governments (city and county) in the MID identified protection and strengthening of the 26-mile sand beach system. This manmade beach was constructed in 1952 to provide protection for the seawall and U.S. Highway 90, has a maximum design width of 300 feet, and encompasses an area of shoreline from Biloxi, Mississippi on the east to Henderson Point in Pass Christian, Mississippi on the west. This system is a first line of protection from storm surge for the MID's population and infrastructure but is a critical buffer for U.S. Highway 90, a transportation corridor which is deemed a "Community Lifeline" by FEMA because of its place in accessing residential areas, major businesses and employers, and emergency services.

As the non-federal local sponsor, Harrison County, acting through the HCSBA, is required to conduct certain activities related to the operation, maintenance, repair, replacement, and rehabilitation of the beach, including: repair of drainage outfall structures; removal of trash and debris; redistribution of eroded/accumulated sand to maintain the project template design and proper flow through the outfalls; and major beach renourishment activities involving dredging in offshore borrow areas and placement of sand on the beach to restore the beach profile. General grading and trash and debris removal are scheduled as needed depending on season, level of use, and minor storm events (i.e., high winds and storm tides).

The Stennis Team conducted policy research, used spatial analytical systems and analyzed data to assist the Mississippi planning team to integrate equitable planning concepts into the design of all projects. This approach to framing, analysis and the design of mitigation projects was used to foster evidentiary-based decision-making and to identify projects that would improve the capacity and resilience of the impacted communities to respond and recover from future disasters.

The Stennis Team identified 34 Harrison County census tracts that were at high risk from repetitive hurricanes, storm surge, sea level rise, and coastline erosion. Within the 34 census tracts that were identified as being at highest risk from repetitive hurricanes, storm surge, and coastline erosion, there were 59,816 housing units, representing 65.5% of Harrison County's 92,687 housing units in 2019.

After examining all 34 census tracts that were included in the analysis of Harrison County, 11 census tracts that had a SoVI rating of "Very Low" or did not meet CDFI (Community Development Financial Institutions) criterion as qualified distressed and underserved census tracts were removed from further analysis and the remaining census tracts were mapped and evaluated to identify areas of high risk due to hurricane events, storm surge, and related flooding. The removal of "non-qualifying" census tracts does not imply that no mitigation activities are required in these areas; rather, the purpose was to prioritize underserved communities during this specific planning process and to identify strategies that will address the needs of the most impacted and distressed areas. Investments in projects that lessen the impact of hurricanes and storm surge, reduce flooding across coastal communities and prevent roads from flooding during emergency events can minimize the differential impact these events have on vulnerable populations. The overlay maps of MID census tracts and storm surge confirm the flooding of US 90 during a Category 2 hurricane (Maps 13 and 14) and Map 17 displays the location of 3,240 subsidized housing units and 2,304 housing choice vouchers in the same tracts. (Maps 13 and 14, p.19, and Map 17, p.23) Supplemental Documentation Submitted by the Stennis, p.19. (This document can be found as an attachment to this Action Plan).

The Hazard Mitigation plans across the MID are consistent in identifying storm surge and erosion as key concerns. Every coastal municipality within Harrison County (Biloxi, Gulfport, Long Beach, D'Iberville, and Pass Christian) has identified improving and upgrading drainage to reduce flooding

in their hazard mitigation plans. Harrison County's Hazard Mitigation plan identifies storm surge, erosion, flood, and hurricane as significant hazards.

Flood, erosion, storm surge, and sea level rise are also addressed in the Mississippi Emergency Management Agency's (MEMA) District 9 Regional Hazard Mitigation Plan (Section 4: Hazard Identification page 4:9 and 4:10), while hurricanes are addressed on page 4:16.83. Beach Nourishment and Restoration projects are aligned with the Mississippi Emergency Management Agency's (MEMA) District 9 Regional Hazard Mitigation Plan in "Annex C: Harrison County" as follows:

- "Support Harrison County's efforts to re-nourish the beach and implement beach protection measures" page C: 193 Action #NRP-1 (Natural Resource Protection)
- "Work with Harrison County Sand Beach Authority to continue maintaining the beach and seawall to allow them to continue to serve their function of mitigating wave and flooding action to protect U.S. Highway 90" page C:205 Action #NRP-1
- "Work with the Harrison County Sand Beach Authority to continue dune propagation in areas along the beach where the seawall is below 10 foot in elevation" page C: 205 Action #NRP-3
- "Continue to maintain sandy beach" Section 9: Mitigation Action Plan, page 9:72.
- "Encourage dune propagation in areas where the seawall is below 10 feet" NRP-4 Section 9: Mitigation Action Plan, page 9.73.

Repair of Outfall Drainage Systems is aligned with the Mississippi Emergency Management Agency's (MEMA) District 9 Regional Hazard Mitigation Plan see Annex C: Harrison County as follows:

- "Continue to improve and upgrade drainage to reduce flooding" is a high priority structural project identified in SP-1 in Section 9: Mitigation Action Plan, page 9:88.a Hazard Mitigation Plan see Annex C: Harrison County.

MDA-DRD, in addition to considering the primary concern of protection for the population and its homes and the prioritization of the local governments in identifying sand beach nourishment as the mitigation-only activity, took into account environmental data and other key findings from the Stennis study as set out, following:

Most of Mississippi's coastline is highly vulnerable to erosion and wetland loss. Land subsidence is a major issue in the area due to the compaction of sediments over time. As barrier islands and the shoreline of mainland areas erode and submerge, onshore facilities and infrastructure become susceptible to inundation and destruction. Beaches are essential storm barriers. Beach nourishment, a method for mitigating coastal storm damage or chronic erosion by deliberately replacing sand on an eroded beach, has been the leading form of coastal protection in the United States for four decades. Beach management and regulatory programs administered by NOAA, FEMA, and state agencies are based on the premise that beaches are subject to erosion and communities are becoming progressively more vulnerable to storm damage.

Beaches are vital to maintaining a healthy economy and environment in coastal communities. Coastal Mississippi beaches are home to a variety of plants and wildlife that are dependent upon beaches, nearshore waters, and dunes for their habitats. For example, an estimated 2,300 pairs

of Least Terns (a Federally listed endangered species) nest on these beaches,⁶³ representing 21% of the Northern Gulf of Mexico population and forming one of the densest concentrations of this species in the world.⁶⁴ There are also a considerable number of Piping and Wilson's Plover, American Oystercatchers, rare Purple Sandpipers, and other shorebirds observed on the beaches. The Kemp's Ridley Sea turtle is the rarest sea turtle in the world, and the Mississippi Sound is an important developmental habitat for these turtles, which are born on the sandy beaches of the Gulf Coast and reliant upon a healthy beach ecosystem for survival. Loggerhead sea turtles also make their nests on Harrison County beaches.

Historically, the development of hotels, vacation rentals, and other tourism-related establishments in coastal communities occurs adjacent to shoreline areas. In Harrison County, the Mississippi Aquarium, marine mammal research facilities, the 52 acre Gulf Park campus of the University of Southern Mississippi and its research and economic development hub, museums, parks, casinos, restaurants, museums, shops, and downtown business centers are either directly on the beach or within blocks of the shoreline. Coastal recreation and tourism comprise a large sector of the MID's service industry sector. Per the U.S. Census Bureau's American Community Survey 2016-2020, of the 88,366 people employed in Harrison County, 25,535 people were employed in tourism related industries.

The Stennis study also outlined the impact of tourism on economic development as well as the labor force:

Tourism positively affects economic development by stimulating the creation and growth of new business enterprises, motivating the development of new infrastructure, contributing increased local and state tax revenue, and providing incentives and revenue streams that improve the conservation and restoration of cultural heritage sites. The hotel industry and tourism are among the top job creators and have a significant multiplier effect on employment in related sectors. Hotels and tourism related businesses play a significant role in economic development and have been found to make an important contribution to the reduction of poverty. Although jobs in the industry tend to have lower incomes and require lower skill levels when compared to other industry sectors, tourism jobs offer opportunities to those with lower educational attainment by acting as access points to enhanced employment opportunities. Women and youth are strongly represented in tourism-related jobs: worldwide, women comprise 60 to 70 percent of the labor force, while approximately 50 percent of the workforce is comprised of youth ages 25 or younger.

The economic consequences of hurricanes, storm surge, beach erosion, and climate change on tourism are supported by several recent studies. Businesses affected by storm surge and flooding often experience loss of revenue, damage to inventory, staffing difficulties, and loss of business function. In addition, sand accumulation on beach roads impedes travel, restricts or prevents employee and customer access to businesses, prevents the use of beach roads as access routes during emergency events, and reduces the response time of emergency vehicles.

Traditional protective measures to stabilizing or restoring beaches have included "hard" structures such as seawalls, groins, and shore-parallel breakwaters, which have been used for many years to create a barrier between land and sea. However, these methods can interrupt the alongshore flow of sand, thereby exacerbating erosion problems in some instances and creating new ones in others. These hard structures can reduce storm and flooding hazards, but they do not stabilize the beach or replace beach sand that is lost to erosion. Beach nourishment creates a "soft" structure

by adding sand to create a larger sand reservoir, which pushes the shoreline seaward. A wide beach is effective at dissipating wave energy and reducing flooding.

The sand beach has been managed with constant care by the Harrison County Sand Beach Authority (HCSBA), which is responsible for maintaining the entire beach. As the non-federal local sponsor, Harrison County, acting through the HCSBA has performed an array of activities related to the operation, maintenance, repair, replacement and rehabilitation of the beach including repair of drainage outfall structures, removal of trash and debris, redistribution of eroded and accumulated sand to maintain the project template design and proper flow through the outfalls and major beach renourishment activities. Large-scale renourishment has historically occurred at 7-10 year intervals, depending upon the rate of erosion and wind and wave damage from hurricanes. The beach meets FEMA requirements in that it has dimensions that affect the 1% annual-chance flood hazard and is well established with longstanding vegetation in place. Despite this constant maintenance, the number of recent hurricanes and other wind and rain events causing surge and erosion has so eroded the beach to the point that a five-year flood could damage improved property.

The planned beach nourishment and mitigation project along the 26-mile sand beach in Harrison County will replenish sand that has been lost with a coarser grain of sand that is less likely to wash or blow away. The project will also fund the planting of sea oats and the creation of sand dunes to enable the root structure to contain as much sand as possible.

This project is a preventative action designed to reduce flooding and the impact of storm surge, particularly on vulnerable populations living close to the shoreline; it will also protect property within the identified census tracts from flooding; and it is a natural resource protection activity.

The beach nourishment and beach renewal mitigation measures will protect residential and commercial structures from erosion and flooding, protect public roads and bridges from erosion, sand overwash, and flooding, and deter sand accumulation and costly maintenance for sand removal on Highway 90 through the creation of dune beds with sea oats. The dune system provides ecosystem benefits and hurricane or storm damage reduction due to its ability to absorb some of the surge and wave energy during storm surge and flooding events. It will also protect property within the identified census tracts from flooding, support and enhance the coastal tourism industry, and serve as a natural resource protection activity.

3 General Requirements

3.1 Citizen Participation

MDA-DRD will employ public information strategies designed to inform and invite citizen participation through traditional media, an updated and detailed website, and publication of the Action Plan and any modifications, with clearly defined means for public commentary. Public meetings will also be held to solicit citizen input into the proposed program design.

3.1.1 [Outreach and Engagement](#)

MDA-DRD will rely on its established practices of collaboration and outreach to citizens by consulting with local governments, planning groups, and an array of community service and advocacy organizations. The extent of participation has been broad thus far, but has been constrained by the accelerated timeline required for planning as well as by the intervening crises of Hurricane Ida and the COVID Delta Variant, which affected Harrison County in late 2020 and 2021. These relationships and partner groups will remain in place and will be expanded through program implementation and robust outreach.

[Consultation with Units of Local Government in the MID](#)

MDA-DRD has reviewed unmet housing needs, resilience concerns, and infrastructure losses and costs through consultation with the mayors of each of the municipalities in the MID: Pass Christian, Long Beach, Gulfport, Biloxi, and D'Iberville, as well as with the Harrison County government, including the County Administrator, Human Resources Director, County Engineer and Sand Beach director. As a result of MDA-DRD's outreach, the Harrison County Board of Supervisors (HCBOS) prioritized the County's unmet infrastructure and mitigation needs in a meeting on March 14, 2022, recommending sand beach erosion and outfall drainage restoration as its highest infrastructure and mitigation needs, citing environmental and social impacts (transportation and employment) of unaddressed and continued erosion and poor drainage.

MDA-DRD will continue this level of consultation with the units of local government throughout the life of the program.

[Consultation with Network of Harrison County Nonprofits](#)

MDA-DRD's point of initial consultation with Harrison County non-profit, charitable, and advocacy organizations began with the Harrison County Long Term Recovery Committee (HCLTRC), whose members and services are referenced in Section 2. The HCLTRC was the first community-based aid organization on the ground immediately after the storm, with its members providing assistance under each entity's mission as well as collectively through resources, data and function sharing as a group. The MDA-DRD spoke to principals of the HCLTRC and reviewed the damage and needs data tracked on the Crisis Clean Up tracking system, which recorded calls for assistance, types of damage, other social and economic needs, and case management. The HCLTRC, through its collective contributions and outreach to the community to identify needs, was able to provide immediate assistance to the most urgent cases, i.e., those households at 80% AMI, representing the greatest needs and fewest resources.

MDA-DRD extended its outreach beyond HCLTRC to private relief and advocacy entities and community service organizations (See Section 2 of this Action Plan) to the degree that time constraints permitted. This outreach will continue and will be expanded through the program implementation process. Both traditional media and social media will be employed along with approaches designed to reach the most inaccessible by messaging directly through community action organizations and their affiliate programs.

MDA-DRD will continue its outreach efforts to the organizations listed above and any others identified in the future throughout program planning and implementation.

Publication of Action Plan

The Action Plan will be submitted for public comment in English, Spanish and Vietnamese versions to the website at www.msdisasterrecovery.com on May 10, 2022, with a thirty (30) day public comment period as required by HUD ending on June 10, 2022.

Written comments regarding the proposed Action Plan may be mailed to MDA, Post Office Box 849, Jackson, MS 39205, Attention: Disaster Recovery, or sent via facsimile to (601)576-2506. Comments may also be submitted online to MDA-DRD at disasterrecovery@mississippi.org. Comments will be included in the Action Plan as required.

Following consideration of comments received, MDA-DRD will identify and make any necessary revisions to the Action Plan after which the final Action Plan will be submitted to HUD for approval.

3.1.2 Public Hearing

A public hearing will be held on May 24, 2022, from 6:00 p.m. to 7:00 p.m. at the Fine Arts Auditorium, Mississippi Gulf Coast Community College, 2226 Switzer Rd., in Gulfport, Mississippi, to present the Action Plan to the community for public examination and accountability. Notice will be published in the newspaper and on social media as well as the MDA-DRD website. All comments from attendees at such hearing will be considered by MDA-DRD and revisions to the Action Plan made as necessary.

3.1.3 Complaints

All complaints received by MDA-DRD, any contractor or vendor working on the CDBG-DR program or project, and/or other program sources, will be referred to and reviewed by the Director of Monitoring for investigation and response. MDA-DRD is committed to providing a timely written response to every citizen complaint within fifteen (15) working days of the receipt of the complaint.

It is the goal of the MDA-DRD to always attempt to resolve complaints in a manner that is both sensitive to the complainant's concerns, achieves a fair result and is statutorily and regulatory compliant.

Complaints may be mailed to the Director of Monitoring, Disaster Recovery Division, P.O. Box 849., Jackson, MS 39205.

MDA-DRD's Director of Monitoring will refer all complaints regarding potential fraud to the Office of State Auditor and/or HUD OIG Fraud Hotline (via phone: 1-800-347-3735 or email: hotline@hudoig.gov).

3.2 Public Website

MDA-DRD has created and will maintain a comprehensive, accessible website for CDBG-DR funded programs and projects. Requirements governing the funding, as well as consistently recommending the development of such an internet presence as an essential part of citizen participation.

This website serves as the central source for CDBG-DR public information and is intended to provide transparency into MDA-DRD activities related to its CDBG-DR programs. The website will give the public access to, among other things, the following:

- CDBG-DR Unmet Needs Assessment;
- CDBG-DR Mitigation Assessment;
- CDBG-DR Action Plan, Amendments, and Modifications;
- Citizen Participation Plan;
- Announcements of Public Hearing(s) concerning CDBG-DR funds;
- Accessibility and Limited English Proficiency (LEP) requirements;
- Information on each CDBG-DR program, including eligibility requirements and application processes;
- Accessible portal for applicants for CDBG-DR funds to see their status;
- MDA-DRD Appeals Rule;
- CDBG-DR Citizen Complaint Procedures;
- List of all CDBG-DR Subrecipients and Contractors;
- MDA-DRD Policy Manual;
- MDA-DRD Procurement Policies and Procedures;
- Requests for Proposals and/or Requests for Qualifications to be funded by CDBG-DR funds and the status of those procurements;
- All executed contracts that will be paid with CDBG-DR funds as defined in 2 C.F.R. 200.22 (including subrecipients' contracts);
- A summary description of services and goods (above the micro-threshold level) currently being procured using CDBG-DR funds; and
- CDBG-DR Quarterly Performance Reports.

The State of Mississippi adheres to Americans with Disabilities Act (ADA) compliant standards for website accessibility and readability in accordance with 42 U.S.C. 12101 et seq. and 24 C.F.R. 8.6. Content and website layout will be designed with best practices for adaptive use in mind. MDA-DRD supports accommodations for citizens with limited English proficiency and will publish program documents in languages based on the need of non-English speaking communities, including members of protected classes, vulnerable populations, and individuals from underserved communities as described in HUD's Federal Register Notice.

MDA-DRD's Comprehensive Website Policy may be found at Section 5.0 of the Policies and Procedures Manual. This policy will also be available on MDA-DRD's website at <https://msdisasterrecovery.com/>

3.3 Amendments to the Action Plan

Every amendment, substantial or not, shall be numbered sequentially and posted on the MDA-DRD's Disaster Recovery Website, not replacing, but in addition to all previous versions of the Action Plan.

3.3.1 Substantial Amendment

MDA-DRD will engage citizens through the program lifecycle to maximize the opportunity for input on proposed program changes that result in a Substantial Amendment. Program

changes result in a Substantial Amendment when there is a change in program benefit or eligibility criteria:

- An addition or deletion of an activity;
- A proposed reduction in the overall benefit requirement
- An allocation or re-allocation of more than \$1 million; or,
- A change in planned beneficiaries.

The MDA-DRD will publish the Substantial Amendment allowing thirty (30) days for a public comment period. Any Substantial Amendment(s) will be published in English, Spanish and Vietnamese. A copy of the Substantial Amendment will also be available on MDA-DRD's disaster recovery website). A summary of all comments received will be included in the final Substantial Amendment submitted to HUD for approval. Final Substantial Amendments approved by HUD will be posted to the MDA-DRD public website.

3.3.2 Non-Substantial Amendment

In the event the MDA-DRD needs to make an Action Plan amendment, which is not substantial, it shall notify HUD but is not required to seek public comment. The DRGR system will automatically approve the amendment by the fifth day, if not completed earlier by HUD.

3.4 Displacement of Persons and Other Entities

MDA-DRD does not anticipate any buyout activity and displacement of people is not anticipated, but in the event that displacement occurs, the MDA-DRD will comply with applicable federal rules and regulations, including the Uniform Relocation Act.

3.5 Protection of People and Property

All recovery programs designed by MDA-DRD to address the unmet needs remaining from Hurricane Zeta have been developed with the underlying goal of protecting people and property from potential adverse conditions or outcomes from future catastrophic events. Sections 3.5.1 through 3.5.9 of this Section 3.5 describe such protective measures.

3.5.1 Elevation Standards

Hurricane Zeta was primarily a wind event resulting in damages to roofs along with isolated structural damages associated with fallen trees and flying debris. No new construction or reconstruction, which would require structural elevation, is anticipated.

3.5.2 Flood Insurance Requirements

All parties must comply with the flood insurance purchase requirements of Section 102(2) of the Flood Disaster Protection Act of 1973, (PL 93-234, 87 Stat. 975) approved December 31, 1976. Section 102 (a) requires, on and after March 2, 1975, the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any Federal financial assistance for construction or acquisition purposes for use in any area that has been identified by the Secretary of the Department of Housing and Urban Development as an area having special flood hazards

As stated in Section 3.5.1, structural damages from Hurricane Zeta were primarily the result of wind. However, any property owner with damages caused by flooding will be required to acquire and maintain flood insurance if his/her property is located in a FEMA designated special hazards area. A covenant will be placed on the property, which will run in perpetuity requiring any owner of the property to maintain flood insurance.

3.5.3 [Construction Standards](#)

Recovery programs implemented by the MDA-DRD will incorporate best practices of construction standards for all construction contractors performing work.

All construction must meet locally adopted building codes and ordinances. In the absence of locally adopted building codes that are more restrictive than the State Building Code, the requirements of the State Building Code will apply. Following Hurricane Katrina, the State legislature passed legislation requiring stricter building codes for the coastal counties of Hancock, Harrison (the MID), Jackson, Pearl River, and Stone.

The MDA-DRD does not anticipate construction work, which meets the definition of rehabilitation. However, in the absence of access to FEMA damage inspections information, if there are instances when roof damages have resulted in interior damages, the Green Building Retrofit standards for roofing will be applied.¹¹ MDA-DRD reserves the right to modify these standards as allowed by law.

3.5.4 [Contractor Standards](#)

Construction contractors will be required to carry required licenses and insurance coverage(s) for all work performed.

3.5.5 [Preparedness, Mitigation and Resiliency](#)

In accordance with the Appropriations Act requirements, the MDA-DRD has established the following performance metrics for resilience activities:

- An estimate of the projected risk to the completed activity from natural hazards;
- Identification of the mitigation measures that will address projected risks; and
- Assessment of the benefit of the grantee's measures through verifiable data.

3.5.6 [Broadband Infrastructure in Housing](#)

Neither new construction nor substantial rehabilitation has been identified as an unmet need and neither is contemplated under the MDA-DRD's recovery programs. Further, in the area of greatest damage, as indicated by the Harrison County EMA, there are two to four providers of wired internet. Consequently, installation of broadband infrastructure is not planned at this time as the cost of installing broadband infrastructure would result in the utilization of CDBG-DR funds that would be better utilized for more urgent needs. Furthermore, statewide efforts are currently underway using COVID relief federal funds for this purpose.

3.5.7 [Cost Effectiveness](#)

A cost and price analysis is required to be performed by the subrecipient for every procurement action taken in connection with the expenditure of CDBG-DR funds to determine allowability and reasonableness. In order to ensure the cost effectiveness of expenditures, MDA-DRD and its subrecipients will comply with the procurement procedures detailed in Section 3.3 of MDA-DRD's Policies and Procedures Manual.

3.5.8 [Duplication of Benefits](#)

In compliance with the Stafford Act and the Appropriations Act, the MDA-DRD will comply with the requirements of the 2019 Duplication of Benefits (DOB) Notice (84 FR 28836) to prevent the duplication of benefits.

¹¹ See Appendices.

The regulations provide that in order to be eligible to receive CDBG-DR funds, all applicants for CDBG-DR funding must confirm and provide assurance that efforts will be made to avoid a duplication of benefits. MDA-DRD will engage in an analysis of the funding obtained by or made available to the applicant. To this end, MDA-DRD will obtain the best, most recent available data from FEMA, SBA and NFIP for prompt DOB verification.

To ensure that funds provided by other sources are not duplicative, MDA-DRD will determine each applicant's total post-disaster need, regardless of funding source. The final award will be calculated by subtracting any duplicative assistance from the total need and applying any program cap and cost reasonableness principles.

Supporting documentation for any sources of funding provided by the applicant to validate the DOB amount, including certifications and benefit statements, agency communications, and calculation forms, will be maintained in each applicant's file to support MDA-DRD's or the subrecipient's DOB calculation.

Additional details of MDA-DRD's procedures related to duplication of benefits may be found in Section 3.6 of the MDA-DRD CDBG-DR Policies and Procedures Manual.

3.5.9 Grantee Proposed Use of Funds

The MDA-DRD will use at least 80% of the allocated funds in the HUD-identified MID area. Not more than 15% will be expended on mitigation activities in the grantee-identified MID area. Five percent (5%) of the funds will be expended on the MDA-DRD's planning and administration activities, including, but not limited to the following:

- Preparation of CDBG-DR Action Plan
- Carrying out its citizen participation plan
- Maintenance of the CDBG-DR website
- Preparation of required CDBG-DR quarterly reports
- Monitoring and compliance activities

4 Overview

Housing Recovery Overview

Based on MDA-DRD's unmet needs assessments, the State will fund two (2) housing recovery programs focused on housing repair and rehabilitation.

Roof Repair and Retrofit Program (RR&R): This program is designed to provide both repairs and resilience against future storms for single-family residences, multi-family housing owned or managed by a public housing authority, and community service organizations with remaining roof repair needs. The scope of the program will include the MID, in its entirety. While population data for the MID suggest greater concentrations of LMI and vulnerable populations in specific census tracts, these populations are not just solely located in the high LMI tracts. Rather, vulnerable populations can be found broadly dispersed throughout the MID and in particular along and parallel to the coastline.

To inform the program design, the MDA-DRD has relied, in the absence of individual assistance data from FEMA (location and damage estimates), on the best available information available, with qualitative data provided by the Harrison County Emergency Management Agency, the Harrison County Long Term Recovery Committee, two public housing authorities serving the MID, and the Gulf Coast Habitat for Humanity which also serves the MID. This information has been supplemented by observational reporting by community service agencies of damaged roofs throughout the MID. Collectively, these sources have confirmed that Hurricane Zeta's housing damages were universally roof-related and that certain resilience activities are needed to protect against future wind damages for both single family and multifamily housing. Each initiative is described below.

Eligible activities under the program will consist of roof repairs to home and community service buildings, which are directly related to damages caused by Hurricane Zeta.

The RR&R program will use an independent inspector, who will evaluate the condition of the roof of an eligible applicant and prepare a damage report. Replacement roofs must meet the current building code and the retrofit requirements specified in the code as well as the requirements of the Green Building Retrofit Checklist¹² related to roofing. If interior damages resulting from prolonged water intrusion caused by Hurricane Zeta are found, they will be inspected and included in the damage estimate. In the case of severe damage to homes or community services buildings, such as those caused by fallen trees, the inspector will evaluate the damage and prepare a damage report.

The home upon which repairs will be made must be the primary residence of the applicant and have been either (a) owned at least in part by the current owner prior to Zeta and occupied by the current owner prior to and on the date of Zeta; or (b) owned prior to and on the date of Zeta by another person from whom title has been conveyed to the current owner and also occupied by the current owner prior to Zeta. Roof repairs to community services buildings will be made only to those buildings operated by non-profit entities, which provide social and educational services to low-to-moderate income individuals and families and vulnerable populations.

Household eligibility for primary roof repairs within the MID will be limited to those whose incomes are no more than 80% of Area Median Income (AMI), with focus on the elderly or disabled and those with the most serious damages. The universe of households, which may meet the eligibility criteria, will not be determined until the application period closes. Should this universe exceed the funds available, the MDA-DRD reserves the right to further prioritize

¹² See Appendices..

the eligible household pool based on a lower AMI while continuing to prioritize the elderly and/or disabled. Roof repair to community services buildings will be prioritized by the degree of remaining roof damage caused by Hurricane Zeta

To assure that all residents with previously unrepaired roof damages are identified for evaluation and eligibility, a robust 45-day outreach effort will be undertaken. This will consist of a paid media campaign through radio, television and newspaper advertising promoting the RR&R program, describing eligibility criteria, potential benefits, intake locations, website information, and telephone numbers. In addition, there will be direct distribution of all RR&R print material, which will provide eligibility criteria, possible benefits, deadlines, contact information and intake locations through a range of community service, faith-based and advocacy organizations. These organizations will be asked to use their social media sites to promote the program. A website will be launched to provide potential beneficiaries with the parameters of the RR&R Program, including program information, criteria for eligibility, all deadlines for submission of applications, the locations of all intake centers and the contact information for the program. Application intake for this program will be open until a fixed end date, which will be published in the outreach materials.

The RR&R program's services will be administered by a non-profit subrecipient in the MID whose CDBG-DR experience with home repair, eligibility determination, HUD compliance requirements, and service to vulnerable populations is well-established and whose fiscal management capacity is strong. The sub-recipient will be responsible for end-to-end program implementation and case management, beginning with outreach, continuing through application, eligibility determination, damage estimates, environmental assessments if applicable, construction (contractor procurement and oversight), inspection, and contractor payments, and reporting. Technical assistance will be provided as required by the MDA-DRD. The MDA-DRD will monitor the sub-recipient in accordance with its established monitoring and compliance policies.

Housing Authority Grants Program (HAGP): This program will provide grants to housing authorities operating in the MID for the following purposes: a) to cover gaps between insurance reimbursements for damages and actual repair costs; b) to harden structures against future storm damages and protect residents in the most vulnerable locations; and c) to assist in the relocation of structures to better support the continued functioning of a housing authority during and after a storm.

There are two public housing authorities in the MID (Harrison County): Region VIII, which covers multiple counties in south Mississippi, and one city specific housing authority, the Biloxi Housing Authority (BHA). Following Hurricane Katrina, the State's Public Housing Authority Recovery plan gave housing authorities the flexibility to develop public housing units as stand-alone developments or as a part of a development financed by housing tax credits or other funding sources. As a result, these housing authorities and their development entities, collectively, provide a substantial portion of the affordable housing in the MID, including housing for low and very low income residents.

One of the two public housing authorities, BHA, as noted in the needs analysis, has sustained a significant amount of "out of pocket costs" associated with insurance claims that remain unsettled. In other circumstances, these are funds that would be used to provide housing and support services to BHA residents.

The MDA-DRD intends this assistance to not only address the gaps in insurance coverage for damage repairs but to also focus on helping the housing authorities to build in resilience against future disasters whenever possible. Assistance in meeting the damage repair gap, as well as

mitigating against future costly damages and insurance rates, will allow the PHAs to direct more resources toward expanding the number and kind of assisted housing units in the MID.

HAGP includes the following three (3) activities:

Insurance Gap Funding

Insurance rates and deductible amounts for both PHAs, particularly for those with properties in or near the coastline and in or near the flood zones, are such that reserves which could be applied to more affordable housing are called into use to resolve gaps in insurance coverage when significant disaster damages occur. Assistance in meeting these gaps will allow the PHAs to retain their reserves to further expand and support affordable housing.

Hardening of Structures

Both BHA and Region VIII have identified two urgent projects, which will harden their existing and new properties (to be constructed) against future damages and add protection for the residents.

Because of its properties' locations in the Back Bay area of Biloxi, BHA has identified replacement of windows with hurricane resistant windows in three locations within the MID:

- Cadet Point Senior Village - Cadet Point is a senior building located in East Biloxi that has been impacted by several hurricanes and low-pressure storms. Windows are not covered by insurance and due to years of weather impact many have lost their seals and experience condensation. The current windows were installed in 2007 according to code, but are not storm resistant.
- Seashore Oaks - The replacement of all windows for the 6-story building with hurricane/impact resistant windows. In addition to the installation of new windows, the building would need updated architectural and engineering (A/E) services.
- Assisted Living Building - The replacement of all windows for the 3-story building with hurricane/impact resistant windows. In addition to the installation of new windows, the building would need updated A/E services.

Region VIII Housing Authority reported no damages to the units under its management in the MID. However, taking into account the greater frequency of strong, straight-line winds and spin-off tornadoes in the MID, Region VIII has designed safe rooms for a new forty unit development in Gulfport. These safe rooms address an important need for resident safety, particularly when there are shelter-in-place scenarios.

Acquisition and Relocation

Due to their coastal location and by the very nature of their service population in the MID, the two housing authorities are actively planning protections for their residents and properties and their capacity to maintain operations in the event of disasters. BHA and BCDC are developing relocation plans for several of their properties located within flood zones, including BHA's central office, which have been impacted by floods. As a result of these repeated losses, the operational and insurance costs have become unsustainable. BHA has identified a property located outside the FEMA determined flood zone for its central office. The relocation of this building will allow BHA to continue operations and support to its residents during a storm event or emergency rather than having to relocate all operations including moving all computers and other essential support equipment.

HAGP activities will be administered by the housing authorities identified in this Section as subrecipients. The subrecipients will be responsible for end-to-end program implementation, eligibility determination, damage estimates, environmental assessments, if applicable, construction (contractor procurement and oversight), inspection, contractor payments, and reporting. Technical assistance will be provided by MDA-DRD as necessary. MDA-DRD will monitor the subrecipient in accordance with its established monitoring and compliance policies.

Funds allocated for the identified activities are based on estimates provided by the named public housing authorities. The submission of damage estimates, invoices, contractor quotes and other relevant supporting documentation by the subrecipient will inform MDA-DRD as to grant amount. The public housing authorities acknowledge and the MDA-DRD agrees that the estimated costs may and are in fact likely to change during the course of the program. Any necessary adjustments will be made based on documentation submitted by the subrecipient.

Infrastructure Recovery Overview

The force of Hurricane Zeta's winds across Harrison County left virtually no part of the MID's public infrastructure unscathed: power systems, public safety structures and other public buildings used for government, education, medical care, and a variety of public services, municipal and county public services/works vehicles and equipment, harbors, piers, marinas, traffic signals and street signs, water and wastewater treatment systems, public beaches, public historic buildings, and public parks and recreational sites, and research facilities were affected by the destructive winds. Fallen trees, other woody and vegetative material, street and building wreckage, and sand deposited by the winds created an exceptional volume of debris requiring removal in order to clear public access and to reach homes. These damages were widespread throughout the MID, leaving no area untouched.

Preliminary data from the FEMA Public Assistance Program provided by HUD identified \$39,490,979 in Category C to G eligible FEMA damage estimates with an unmet local match need of \$9,872,699 from the local municipal and county governments. As the State continues to receive and analyze the eligible FEMA costs and matching shares, these numbers are anticipated to increase because of the soaring costs and shortages of construction materials and construction labor. As this data becomes available from the municipalities and county government, the state will adjust the program as needed.

FEMA Match Program

The infrastructure recovery program will be solely focused on assisting municipalities and county government through the provision of FEMA match dollars for identified FEMA PA projects. No new construction is anticipated. This focus will best address the restoration of public services, which impact the entire MID, thus assuring that the broadly dispersed affordable multi-family and single-family residences benefit from the restoration.

The infrastructure program will be administered by the local municipalities and the county government as subrecipients. MDA-DRD will provide administrative support as needed and will monitor the subrecipients for compliance with all applicable requirements including those of CDBG-DR. Because of the highly frequent storms, both catastrophic and lesser, which strike the Gulf Coast, the local governments in the MID are knowledgeable of both the FEMA PA and the CDBG-DR programs and the attendant requirements. Local building codes as well as MDA-DRD require that mitigation and resilience measures be built into the repair activities. MDA-DRD believes that prior applied requirements for mitigation and resilience strategies and practices minimized infrastructure damages from Hurricane Zeta. No difficulties are anticipated in implementation, performance, and compliance.

MDA-DRD will issue requests for proposals from these entities. Each respondent will be asked to prioritize local projects and the prioritization will require a demonstration of services to vulnerable populations and a description of how the subrecipient intends to build resilience into each approved project. Each subrecipient will be responsible for end-to end program implementation and compliance with all applicable local, state, and federal building codes and operational requirements such as environmental assessments, mitigation and resilience standards, Section 3, and Davis Bacon.

Economic Revitalization

As discussed in Section 2.4 of this Action Plan, the MDA-DRD has determined based on its thorough unmet needs assessment that economic revitalization has been and is being addressed by other programs.

MDA-DRD has determined that public services, such as housing counseling, legal advice, job training, mental health, and general health services are not necessary to complete the activities that MDA-DRD has included in this Action Plan. Therefore, MDA-DRD has not incorporated such public services into its Action Plan.

4.1 Program Budget (allocation of funds to recovery projects)

Program Category	Program	Budget	HUD identified MID Budget	Grantee identified MID Budget	% of Allocation	Maximum Award	National Objective	Estimated Outcome
C C A F A	Housing Rehab	\$ 13,500,000.00	\$ 13,500,000.00	\$ 13,500,000.00	54.53%	\$ 0.00	0	€
	Buyout	\$ 0.00	\$ 0.00	\$ 0.00	00.00%	\$ 0.00	0	€
	New Construction	\$ 0.00	\$ 0.00	\$ 0.00	00.00%	\$ 0.00	0	€
	Other	\$ 0.00	\$ 0.00	\$ 0.00	00.00%	\$ 0.00	0	€
Economic Revitalization	Workforce Training	\$ 0.00	\$ 0.00	\$ 0.00	00.00%	\$ 0.00	0	€
	Business Grants	\$ 0.00	\$ 0.00	\$ 0.00	00.00%	\$ 0.00	0	€
	Other	\$ 0.00	\$ 0.00	\$ 0.00	00.00%	\$ 0.00	0	€
Infrastructure	Water/sewer Improvements	\$ 0.00	\$ 0.00	\$ 0.00	00.00%	\$ 0.00	0	€
	Health Facilities	\$ 0.00	\$ 0.00	\$ 0.00	00.00%	\$ 0.00	0	€
	Other	\$ 9,833,500.00	\$ 9,833,500.00	\$ 9,833,500.00	39.72%	\$ 0.00	0	€
Public Services	Legal Services	\$ 0.00	\$ 0.00	\$ 0.00	00.00%	\$ 0.00	0	€
	Housing Counseling	\$ 0.00	\$ 0.00	\$ 0.00	00.00%	\$ 0.00	0	€
	Other	\$ 0.00	\$ 0.00	\$ 0.00	00.00%	\$ 0.00	0	€
Admin	Admin	\$ 1,223,500.00	\$ 0.00	\$ 0.00	04.94%	\$ 0.00	0	€
Planning	Planning	\$ 200,000.00	\$ 0.00	\$ 0.00	00.81%	\$ 0.00	0	€
Total		\$ 24,757,000.00	\$ 23,333,500.00	\$ 23,333,500.00	100.00%			

*Data Source(s) US Housing and Urban Development - Detailed Data Unmet Needs; FEMA Public Information; Mississippi Emergency Management; ZETA Public Assistance Data; Harrison County Emergency Management Agency;

4.2 Connection to Unmet Needs

MDA-DRD's goal is to design recovery programs that are responsive to the types and locations of actual needs resulting from Hurricane Zeta. The Unmet Needs Assessment and Mitigation Needs Assessment were both accomplished using the best data available. As described in Section 4.1 of this Action Plan, MDA-DRD used this data to design recovery programs that will specifically assist the unmet needs identified in the Assessments.

Findings from local governments, consultation with organizations serving LMI and vulnerable populations, and review of data provided by federal and state agencies were critical in the

developing MDA-DRD's recovery programs. MDA-DRD's confidence in its identification of unmet needs and allocation of funds to programs to assist those needs is supported by HUD's own findings based on its review of FEMA data and its ultimate determination of the total allocation for Harrison County, Mississippi (MID).

4.3 Leveraging Funds

CDBG-DR funds can be used as non-Federal match for funds from other agencies, including the U.S Corps of Army Engineers (limited in amount by federal law), Environmental Protection Agency, Federal Highway Administration, and FEMA. Leveraging these funding sources will allow municipalities and local governments to maximize impact of multiple sources of funding in the MID to address unmet needs further long-term mitigation and resiliency.

Based on information provided by local governments that matching funds are limited, MDA-DRD has determined that the best way to address infrastructure needs in the MID is to match FEMA dollars for the many identified FEMA Public Assistance projects that are focused on disaster recovery and restoration of public services.

4.4 Program Partners

The MDA-DRD's partner team for Hurricane Zeta includes not only the MID's local municipalities, the county government, and community-based organizations representing varying interests but also private sector entities. Collectively, all bring the experience and expertise across multiple disciplines required to undertake the proposed work. Members, in addition to the governmental and community-based entities are Balch and Bingham LLC, Horne LLP, and Harper Raines. MDA-DRD anticipates the addition of other sub-recipient or contractual partners as program implementation evolves. All such partners will be selected on the basis of qualifications and documented successful experience in administering or providing specialized services associated with CDBG-DR recovery and compliance. Contractual partners with the relevant qualifications are listed and described below:

Balch and Bingham LLP (Balch) - Balch is a corporate law firm with more than 230 attorneys across offices in Alabama, Florida, Georgia, Mississippi, Texas and Washington, D.C. Balch has provided legal services to MDA-DRD related to CDBG-DR programs since Hurricane Katrina, including legal services for the creation and implementation of all housing, infrastructure and economic development programs. Over the past fifteen (15) years, Balch has routinely provided advice to MDA-DRD, working with units of local government, non-profits and other subrecipients of CDBG-DR funds regarding a myriad of issues related to disaster recovery, including, but not limited to program design and implementation, procurement and compliance matters, and interpretation and application of state and federal rules and regulations, including HUD CDBG-DR regulations.

Horne LLP (Horne) - Horne is a CPA and business advisory firm brought its unique blend of accounting and best practices in recovery to every major national disaster since Hurricane Katrina. Horne provided accounting and advisory services as an MDA partner for Hurricane Katrina for over a decade, deploying a superb multidisciplinary team of planning, eligibility, administrative, financial, legal, construction, engineering, environmental and social services professionals. Horne LLP embraces the concept of local capacity building and has developed a model to assist local jurisdictions and subrecipients in becoming more resilient through the acquisition of management, compliance, and reporting procedures. Horne LLP will provide support in needs assessment and program design. Horne LLP is the recipient of A Champion of Justice Award from the Mississippi Center for Justice for its work to assist low-income families in the aftermath of Hurricane Katrina.

Harper Raines Knight & Company (HRK) – HRK is a service-oriented certified public accounting firm dedicated to providing its clients with quality accounting, auditing, tax and consulting services while meeting the profession’s highest technical and quality standards. HRK will continue to provide support to MDA-DRD’s Disaster Recovery Monitoring and Compliance team. This team is responsible for monitoring all subrecipients for compliance with MDA-DRD’s policies and procedures, including Section 3 and procurement policy compliance and all related Section 3 reporting and DRGR updates for the MDA-DRD. HRK also provides necessary technical assistance to subrecipients related to procurement activities.

4.5 Distribution of Funds

The MDA-DRD will use at least 100% of the allocated funds in the HUD-identified MID area. Eighty percent (80%) will be utilized to address needs in the areas of housing and infrastructure; fifteen percent (15%) will be utilized to address mitigation needs; and the remaining five percent (5%) will be utilized for administration and planning.

4.5.1. Administering Entity

The Mississippi Development Authority (MDA) has been designated as Mississippi’s responsible entity and lead agency for administering the CDBG-DR Award. The Disaster Recovery Division of MDA, will be responsible for the implementation and oversight of all program activities stemming from the CDBG-DR Award. Laura Hipp was appointed by Governor Tate Reeves to serve as the Interim Executive Director of MDA and in this role, she answers directly to the Office of the Governor. Jamie Miller serves as the Chief Operations Officer of the MDA. With prior experience in the Governor’s Office of Disaster Recovery, he serves as disaster recovery administrator. Charles L. Bearman, Director of the Disaster Recovery Division of MDA, reports directly to Mr. Miller.

The MDA-DRD has extensive experience in successfully administering CDBG funded projects as its team has administered over \$5 billion in CDBG-DR funds awarded after Hurricane Katrina since 2005. Because of the MDA-DRD’s successful experience in administering CDBG-DR program dollars in accordance with HUD guidelines, the MDA-DRD believes the agency’s knowledge perfectly positions them to oversee the CDBG-DR Award. The management staff is skilled in administering programs that advance the mission of HUD. They hold the necessary skillset that is required for designing programs that are compliant with federal guidelines and they are committed to delivering a CDBG-DR recovery program which will make the state more resilient following this devastating flood.

4.6 Program Income

MDA-DRD does not intend to implement any programs that generate income as described in 24 CFR 570.489. However, in the event that any of the activities funded by the CDBG-DR Award generate income, the MDA-DRD will comply with all HUD requirements found at 24 CFR 570.489, as well as the rules outlined in 87 FR 6364. Specifically, the MDA-DRD will adhere to the Program Income Policies and Procedures detailed in Section 3.6 of its CDBG-DR Policies and Procedures Manual.

Under 87 FR 6364, HUD provides grantees the option of transferring program income to their annual CDBG grant or allowing it to be used for disaster recovery purposes until grant closeout. The MDA-DRD has opted to return any program income received to the CDBG-DR program. To

the maximum extent feasible, HUD requires that program income shall be used or distributed before additional withdrawals from the U.S. Treasury are made.

4.7 Resale or Recapture

All duplicative assistance received by an applicant must be accounted for and remitted to MDA-DRD or its subrecipient, regardless of when applicant receives it. For example, if an applicant receives additional funding for the same purpose as the CDBG-DR-funded activity (e.g., for repairs to hurricane-damaged property) even after the award has been executed, the applicant is required to report the additional funding to MDA-DRD or its subrecipients. By accepting the CDBG-DR award, applicants agree that they will report any duplicative funds to MDA-DRD or its subrecipient whenever received.

4.7.1 Program Details

Upon receipt of a report that additional assistance has been received, MDA-DRD or its subrecipient will recalculate the applicant's award and provide instructions as to whether such funds must be used for the same purpose as the CDBG-DR-funded activity prior to expending additional funding by MDA-DRD or its subrecipients or whether the applicant must remit such amounts as a reimbursement. All applicants will be required to sign a Subrogation Agreement as part of their Grant Agreement, which will be for a term of three (3) years.

Because of the potential of a post-award DOB, MDA-DRD is responsible for monitoring for this occurrence and ensuring that duplicative funds are recaptured and returned to the CDBG-DR Program. For this reason, MDA-DRD Monitoring will randomly sample applicant files for a reasonable period of time after project completion for any potential DOB in accordance with MDA-DRD's Monitoring Policies and Procedures.

If an applicant is identified as receiving a potential overpayment, the Program will document the amount and basis for the repayment in a written notification. Applicants who disagree with a repayment amount determined by the Program may challenge the determination pursuant to MDA-DRD's Appeal Rule. If a final decision is reached that the applicant has a DOB and owes funds to the CDBG-DR Program, MDA-DRD will proceed with collecting the repayment amount.

Further details of MDA-DRD's procedures related to the recapture of CDBG-DR funds are documented in Section 3.6 of MDA-DRD's Policies and Procedures Manual.

5 Appendix

5.1 Certifications

Sections 104(b)(4), (c), and (m) of the HCDA (42 U.S.C. 5304(b)(4), (c) & (m)), sections 106(d)(2)(C) & (D) of the HCDA (42 U.S.C. 5306(d)(2)(C) & (D)), and section 106 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12706), and regulations at 24 CFR 91.225 and 91.325 are waived.. Each state receiving an allocation under an Allocation Announcement Notice must make the following certifications with its action plan prior to receiving a CDBG disaster recovery grant:

- 5.1.1. The grantee certifies that it has in effect and is following a residential anti-displacement and relocation assistance plan (RARAP) in connection with any activity assisted with CDBG-DR grant funds that fulfills the requirements of Section 104(d), 24 CFR part 42, and 24 CFR part 570, as amended by waivers and alternative requirements.
- 5.1.2. The grantee certifies its compliance with restrictions on lobbying required by 24 CFR part 87, together with disclosure forms, if required by part 87.
- 5.1.3. The grantee certifies that the action plan for disaster recovery 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-DR funds, possess(es) the legal authority to carry out the program for which it is seeking funding, in accordance with applicable HUD regulations as modified by waivers and alternative requirements.
- 5.1.4. The grantee certifies that activities to be undertaken with CDBG-DR funds are consistent with its action plan.
- 5.1.5. 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, as such requirements may be modified by waivers or alternative requirements.
- 5.1.6. 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 75.
- 5.1.7. 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 waivers and alternative requirements). In addition, 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 waivers and alternative requirements).
- 5.1.8. State grantee certifies that it has consulted with all disaster-affected local governments (including any CDBG-entitlement grantees), Indian tribes, and any

local public housing authorities in determining the use of funds, including the method of distribution of funding, or activities carried out directly by the state.

5.1.9. The grantee certifies that it is complying with each of the following criteria:

5.1.9.1. Funds will be used solely for necessary expenses related to disaster relief, long-term recovery, restoration of infrastructure and housing, economic revitalization, and mitigation in the most impacted and distressed areas for which the President declared a major disaster pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1974 (42 U.S.C. 5121 *et seq.*).

5.1.9.2. With respect to activities expected to be assisted with CDBG-DR funds, the action plan has been developed to give the maximum feasible priority to activities that will benefit low- and moderate-income families.

5.1.9.3. The aggregate use of CDBG-DR funds shall principally benefit low- and moderate-income families in a manner that ensures that at least 70 percent (or another percentage permitted by HUD in a waiver) of the grant amount is expended for activities that benefit such persons.

5.1.9.4. The grantee will not attempt to recover any capital costs of public improvements assisted with CDBG-DR grant funds, by assessing any amount against properties owned and occupied by persons of low- and moderate-income, including any fee charged or assessment made as a condition of obtaining access to such public improvements, unless: (a) Disaster recovery grant funds are used to pay the proportion of such fee or assessment that relates to the capital costs of such public improvements that are financed from revenue sources other than under this title; or (b) for purposes of assessing any amount against properties owned and occupied by persons of moderate income, the grantee certifies to the Secretary that it lacks sufficient CDBG funds (in any form) to comply with the requirements of clause (a).

5.1.10. State and local government grantees certify 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. An Indian tribe grantee certifies that the grant will be conducted and administered in conformity with the Indian Civil Rights Act.

5.1.11. The grantee certifies that it has adopted and is enforcing the following policies, and, in addition, state grantees must certify that they will require local governments that receive their grant funds to certify that they have adopted and are enforcing:

5.1.11.1. 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

- 5.1.11.2. 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.
- 5.1.12. The grantee certifies that it (and any subrecipient or administering entity) currently has or will develop and maintain the capacity to carry out disaster recovery activities in a timely manner and that the grantee has reviewed the requirements applicable to the use of grant funds.
- 5.1.13. The grantee certifies to the accuracy of its Financial Management and Grant Compliance Certification Requirements, or other recent certification submission, if approved by HUD, and related supporting documentation as provided in section III.A.1. of the Consolidated Notice and the grantee's implementation plan and related submissions to HUD as provided in section III.A.2. of the Consolidated Notice.
- 5.1.14. The grantee certifies that it will not use CDBG-DR 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.
- 5.1.15. 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.
- 5.1.16. The grantee certifies that it will comply with environmental requirements at 24 CFR part 58.
- 5.1.17. The grantee certifies that it will comply with the provisions of title I of the HCDA and with other applicable laws.

5.2 Waivers (if applicable)

CDBG-DR grantees that are subject to this Consolidated Notice, as indicated in the Allocation Announcement Notice must comply with all waivers and alternative requirements in the Consolidated Notice, unless expressly made inapplicable. Pursuant to 87 FR 6364, applicable waivers include the following:

- 5.2.1 Certification Waivers stated in Section III.a.1.b;
- 5.2.2 Appendix B, Section II.A.2.a. Alternative requirement to Section 105(a) for mitigation activities;
- 5.2.3 Section II.B.2. Construction standards for new construction, reconstruction, and rehabilitation;

- 5.2.4 Section III.B.1.a. Grantee responsibilities – Recordkeeping requirements;
- 5.2.5 Section III.B.2.c. Direct grant administration and means of carrying out eligible activities (state grantees only).;
- 5.2.6 Section III.C. Action Plan for Disaster Recovery Waiver and Alternative Requirement;
- 5.2.7 Section III.D.1. Citizen participation waiver and alternative requirement;
- 5.2.8 Section III.F.1. Consolidated Plan waiver.

Except as modified, the State CDBG program rules shall apply to state grantees receiving a CDBG-DR allocation.

MDA-DRD does not anticipate the need for a future request of additional waivers.

5.3 Summary and Response of Public Comments

MDA-DRD will consider all oral and written comments on the action plan or any substantial amendment(s) and will respond to each addressing the substance of the comment.

MDA-DRD's Action Plan is being published on May 9, 2022, and all comments received from the public will be included in the Action Plan or Substantial Amendment, along with all updates or changes made to the Action Plan in response to the public comments.

5.4 Data Sources/Methodologies

- United States, 117th Congress, Federal Register Vol. 87, No. 23 (Washington, D.C.: GPO, Thursday, February 3, 2022)
- United States, 117th Congress, *Extending Government Funding and Delivering Emergency Assistance Act (PL 117-43)* (Washington, D.C.: GPO, September 30, 2021), pp.344-381
- Mississippi Emergency Management Agency (MEMA), *2018 State of Mississippi Standard Mitigation Plan Update* (2018)
- Horne LLP, *State of Mississippi Hurricane Zeta Unmet Needs Assessment* (March 28, 2022)
- John C. Stennis Institute of Government & Community Development at Mississippi State University, *Harrison County Hurricane Zeta Mitigation Analysis* (April 28, 2022)
- John C. Stennis Institute of Government & Community Development at Mississippi State University, *Supporting Documentation to the State of Mississippi Hurricane Zeta Unmet Needs Assessment* (May 2, 2022)
- Gulf Regional Planning Commission, *2020 Mississippi Gulf Coast Interim Apartment Survey* (2020)
- FEMA Open Data- State of Mississippi Hurricane Zeta Disaster No. MS-4576
- Harrison County Emergency Management Agency- Hurricane Zeta Damage Reports

5.5 Important Definitions and Terms

- 5.5.1 **Action Plan:** After HUD publishes the Federal Register Notice for a congressional appropriation, the grantee (eligible government) must develop and submit an Action

Plan describing the needs, strategies, and projected uses of the CDBG-DR funds. HUD must approve the Action Plan before funds are released.

- 5.5.2 **Affirmatively furthering fair housing:** This means taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics.
- 5.5.3 **Area Median Income (AMI):** This number varies by municipality and/or Metropolitan Statistical Area (MSA), depending on the actual median income of a municipality or MSA.
- 5.5.4 **Community Development Block Grant (CDBG):** Community Development Block Grants are annual grants on a formula basis to states, cities, and counties to develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for low- and moderate-income persons. The program is authorized under Title 1 of the Housing and Community Development Act of 1974, Public Law 93-383, as amended 42 U.S.C. 5301 et seq.
- 5.5.5 **Community Development Block Grant-Disaster Recovery (CDBG-DR):** This funding stream, flowing through HUD's Community Development Block Grant system, is allocated to eligible disaster recovery entities via congressional appropriations.
- 5.5.6 **Disaster Recovery Grant Reporting (DRGR) System:** The Disaster Recovery Grant Reporting System is a HUD online system that gathers, packages, and provides access to a central database containing a wide variety of information about grantees and their projects. The DRGR System allows the reporting of integrated information, in other words, data that can be aggregated and analyzed in a number of ways that is convenient to HUD management.
- 5.5.7 **Duplication of Benefits (DOB):** As set forth in the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, 42 U.S.C. § 5121 et seq., prohibits any person, business concern, or other entity from receiving Federal funds with respect to any part of a loss resulting from a major disaster for which such person, business concern, or other entity has received financial assistance under any other program, private insurance, charitable assistance, or any other source, with such a subsequent Federal award amounting to a Duplication of Benefits (DOB).
- 5.5.8 **Federal Register:** The Federal Register is the official journal of the federal government of the United States that contains government agency rules, proposed rules, and public notices. The final rules published in the Federal Register are ultimately reorganized by topic or subject matter and codified in the Code of Federal Regulations, which is updated annually.
- 5.5.9 **Federal Register Notice:** For each congressional appropriation, HUD publishes a Federal Register Notice, outlining the rules and regulations for the CDBG-DR funding.
- 5.5.10 **Federal Emergency Management Agency (FEMA):** The agency of the United States Department of Homeland Security, initially created by Presidential Reorganization Plan No. 3 of 1978 and implemented by two Executive Orders on April 1, 1979, with the primary purpose to coordinate the response to a disaster that has occurred in the United States and that overwhelms the resources of local and state authorities. Common FEMA terms are as follows:

- 5.5.10.1 FEMA IA:** Federal Emergency Management Agency Individual Assistance programs provide financial or direct assistance to support the recovery of disaster survivors who have uninsured or underinsured necessary expenses and serious needs. This may include assistance for temporary housing and housing repairs, critical disaster related expenses, and the replacement of essential personal property. This assistance is not intended to restore damaged property to its pre-disaster condition. Through its IA programs, FEMA may also provide funding to the state or tribal government to support programs that address crisis counseling, disaster case management, disaster legal services and disaster unemployment assistance.
- 5.5.10.2 FEMA PA:** The President can make Federal Emergency Management Agency Public Assistance available to local, state, and tribal governments, and certain types of private nonprofit organizations to remove debris, provide emergency protective measures, and restore equipment, buildings and other infrastructure damaged by the disaster. This is done on a cost-sharing basis.
- 5.5.10.3 FVL:** A FEMA Verified Loss occurs when FEMA completes a home inspection and the total damages assessed are greater than \$0.
- 5.5.11 Low to Moderate Income (LMI):** Households whose total annual gross income does not exceed 80 percent of Area Median Income (AMI), adjusted for family size, as determined by HUD.
- 5.5.12 Major Disaster Declaration:** The President can declare a Major Disaster Declaration for any natural event, including any hurricane, tornado, storm, high water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm, or drought, or, regardless of cause, fire, flood, or explosion, that the President believes has caused damage of such severity that it is beyond the combined capabilities of state and local governments to respond. A major disaster declaration provides a wide range of federal assistance programs for individuals and public infrastructure, including funds for both emergency and permanent work.
- 5.5.13 National Flood Insurance Program (NFIP):** The National Flood Insurance Program is managed by FEMA and has three components: provide flood insurance; improve floodplain management; and develop maps of flood hazard zones.
- 5.5.14 Request for Proposal (RFP):** All documents, whether attached or incorporated by reference, utilized for soliciting proposals.
- 5.5.15 Small Business Administration (SBA):** The Federal agency, created in 1953, to help Americans start, build, and grow small businesses by providing aid, counsel, assistance, and protection of small business interests and concerns. After a disaster event, SBA offers tailored counseling services and direct loans to businesses, homeowners, renters, and nonprofits to help repair, rebuild, and recover from physical damage and economic losses after a disaster.
- 5.5.16 Special Flood Hazard Area (SFHA):** The land area covered by the floodwaters of the base flood on NFIP maps, where the NFIP's floodplain management regulations must be enforced and where the mandatory purchase of flood insurance applies.

5.5.17 **Uniform Relocation Assistance and Real Property Acquisition Act (URA):** The federal law that establishes minimum standards for federally funded programs and projects that require the acquisition of real property (real estate) or displace persons from their homes, businesses, or farms. The URA's protections and assistance apply to the acquisition, rehabilitation, or demolition of real property for federal or federally funded projects. The uniform Federal regulation is found at 49 CFR Part 24, with HUD's policy and guidance found at HUD Handbook 1378.

5.5.18 **United States Department of Housing and Urban Development (HUD):** The Federal agency responsible for national policy and programs that address America's housing needs, that improve and develop the Nation's communities, and enforce fair housing laws. It was established in 1965 as a Cabinet Department by the Department of Housing and Urban Development Act (42 U.S.C. 3532-3537)...

5.6 Standard Form 424

MDA-DRD will complete Standard Form 424 to apply for the CDBG-DR funds and will submit to HUD with the proposed final Action Plan.

APPENDICES

1. Stennis Institute Harrison County Mitigation Analysis (Beach and Outfalls Project)
2. Stennis Institute Supporting Documentation to Unmet Needs Assessment
3. Gulf Regional Planning Commission Interim Apartment Survey 2020
4. HUD CPD Green Building Retrofit Checklist