NEBRASKA

STATE OF NEBRASKA

DISASTER RECOVERY ACTION PLAN

Severe Winter Storm, Straight-line Winds, and Flooding (DR-4420)

APRIL 2021 | *~~Amendment 2 (Nonsubstantial~~APA3 (Substantial), Revised ~~June~~October 2023 for Public Comment*

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RECORD OF AMENDMENTS

The following table summarizes amendments to the State of Nebraska DR-4420 Disaster Recovery Action Plan. HUD initially approved this Action Plan on May 3, 2021.

Summary of Nebraska DR-4420 Disaster Recovery Action Plan Amendments

Date Amendment Approved by HUD	Amendment Number	Description of Amendment
March 14, 2022	1	Substantial Amendment. Eligible entities for the Affordable Housing Construction Program expanded to include for-profit affordable housing developers. Prioritization for program selection to focus on non-profits and public housing authorities. Eligible entitles for the Homeowner Assistance Program expanded by removing the requirement that an applicant non-profit is a HUD-certified agency for housing counseling. Citizen Participation Plan removed from appendices.
July 5, 2023	2	Nonsubstantial Amendment. Moved $4.8M from Infrastructure Match Program to the Affordable Housing Construction Program; and recognized the change, at the federal level, in FEMA reimbursement of PA projects from 75% to 90%.
Posted for Public Comment October 16, 2023	3	Substantial Amendment. Moved $15.0M from Infrastructure Match Program to the Affordable Housing Construction Program; removed plans for the Housing Assistance Program and moved its budgeted $11.0M to the Affordable Housing Construction Program; added additional flexibility for Planning activities.

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EXECUTIVE SUMMARY

In early 2019, the State of Nebraska suffered record-breaking damage from severe winter weather, straight-line winds, and its worst flooding event in 50 years, leading to a federal major disaster declaration (DR-4420) under the Stafford Act. Damage from DR-4420 was widespread, leading to disaster declarations in 84 of the State's 93 counties (and four tribal areas), with the worst damage located in the eastern part of the state.

To support long-term recovery, the State will receive a $108,938,000 grant through the United States Department of Housing and Urban Development (HUD) Community Development Block Grant Disaster Recovery (CDBG-DR) program. HUD requires CDBG-DR grantees to submit an Action Plan describing its unmet needs, the programs that will be implemented to address those unmet needs, the method of distribution across those programs, and how the programs and activities will meet the requirements of HUD. As the administrator of these funds, the Nebraska Department of Economic Development (DED), on behalf of the State of Nebraska (grantee), will submit this Action Plan to HUD pursuant to these requirements.

UNMET NEEDS ASSESSMENT

Unmet needs, as defined by HUD, are needs that are not covered by other funding sources and can be covered by CDBG-DR funds. The Initial Action Plan includes an Unmet Needs Assessment (UNA) that analyzes the impacts of DR-4420 and unmet needs related to housing, infrastructure, and the economy, quantified at a point in time. Figure 0-1 illustrates the unmet needs calculated by HUD for this allocation. HUD estimated a total of $108,938,412 in unmet needs, including $78,476,301 in infrastructure, $25,912,480 in housing, and $4,549,631 for economic recovery. Subsequent to HUD's estimates, the Initial Action Plan utilized more current and comprehensive data to estimate unmet needs, estimating a total of $249,982,383 in unmet needs, including $196,163,422 in infrastructure, $36,576,270 in housing, and $17,242,691 million in economic recovery needs (see Figure 0-1). Amendment 3 ("APA3") shows the demonstrated need to date, which reflects higher than anticipated need for housing programs and lower than anticipated need for infrastructure programs. Program budgets have been shifted accordingly.

As contemplated in the Initial Action Plan, the unmet needs CDBG-DR funds can support are a moving target. Action Plan amendments are a tool for accounting for and addressing changing unmet needs throughout the long-term recovery process. As amended, this Action Plan attempts to tell the story of the evolving unmet needs and how its programs address them. This APA3 updates the UNA with current figures where possible, primarily the dollar value of FEMA PA and HMGP projects.

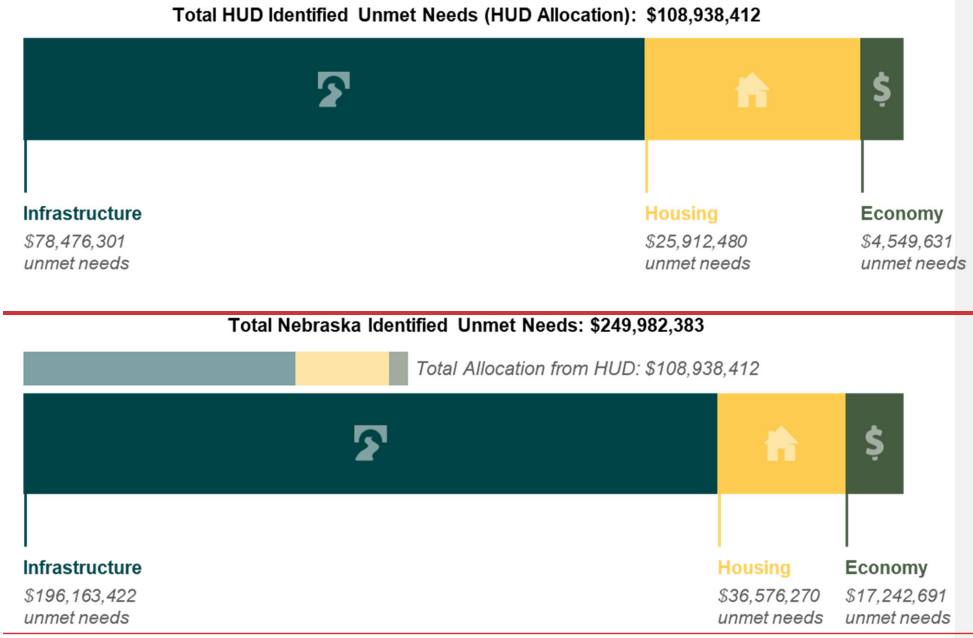
Table 0-1: Impact of Amendments on Initial Unmet Needs Assessment (UNA)

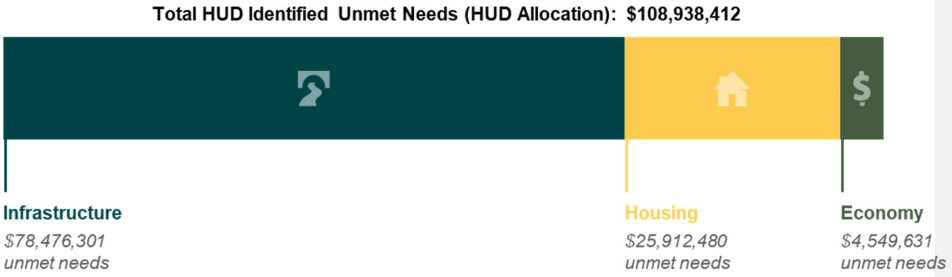
Amendment		Revisions in Relationship to UNA
Number	Type	
~~1~~APA1	Substantial	Indirect impact. Changes were incorporated to address program design considerations.
~~2~~APA2	Nonsubstantial	Direct impact. In the original draft of this Action Plan, FEMA planned to reimburse the standard 75% for all PA and HMGP projects.[1] Because significantly less funding is required for FEMA PA Match, and demand for funding under the Affordable Housing Construction Program (AHCP) has been robust, this Amendment 2 moves $4,800,000 from the FEMA PA Match Program to AHCP. A Substantial Amendment is expected to be needed later in 2023, and that ~~Amendment 3~~APA3 will detail more of the changed circumstances of the programs. This Amendment 2 does not update all detailed figures in the UNA. The need for construction funding to rebuild after the floods has only been exacerbated by the impacts of COVID-19 and subsequent increase in costs of supplies and labor, and the strain on the open market. The Affordable Housing Construction Program has seen an oversubscription with $65,000,000 in requested CDBG-DR.[2]
APA3	Substantial	Direct impact. APA3updates the actual total FEMA PA project values as of summer 2023, and the Federal reimbursement values, which reflect the 90% reimbursement rate. Applications to date for housing programs are also listed.

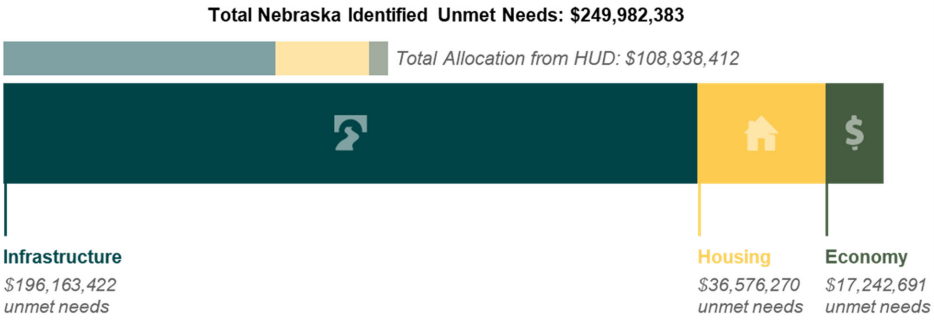
[1] On May 28, 2021, President Biden made additional disaster assistance available to the State of Nebraska by authorizing an increase in the level of Federal funding for FEMA Public Assistance projects as a result of Winter Storm Ulmer (DR-4420), thereby reducing the unmet need for CDBG-DR funds to support local cost share requirements. See https://www.fema.gov/press-release/20210528/president-joseph-r-biden-jr-amends-nebraska-disaster-declaration.

[2] The AHCP Joint-Application LIHTC program received $40,000,000 in requested CDBG-DR in the initial two LIHTC QAP's. Given the interest, CDBG-DR funding is also included in the published 2024-25 LIHTC QAP. One of two DED only applications under AHCP, the Homeownership Production Program (HPP) has also seen a significant demand for funding, receiving 17 Letters of Intent and 10 full applications for a total of $15,000,000 in requested CDBG-DR funding. The amount requested under HPP well exceeds the remaining AHCP allocation as established in the Initial Action Plan; and a NOFO for the AHCP's Small Rental Program has yet to be launched.

Figure 0-1: HUD and Nebraska Identified Unmet Needs (Initial Action Plan)







PROGRAM DESIGN

Nebraska will implement three programs to address its unmet needs, as summarized in Table 0-2: Program Design**Error! Reference source not found.** below. For infrastructure, the State will implement an Infrastructure Match Program to meet the local match requirement for the Federal Emergency Management Agency (FEMA) Public Assistance (PA) and Hazard Mitigation Grant (HMGP) programs. As discussed in the *Foreword* (located in the next section of the document), the economic and fiscal crisis brought on by Coronavirus Disease of 2019 (COVID-19) increases the challenge for local governments to meet match requirements. This means that projects eligible for funding under PA and HMGP may not be feasible without match resources from CDBG-DR. For Housing, Nebraska will implement two programs designed to increase the supply of affordable housing and support low- and moderate-income households with home purchases. These programs will be augmented with additional support from state initiatives as well as the annual CDBG and Home Investment Partnerships Program (HOME) programs for home repairs. Unmet economic recovery needs will be met with other resources and, as appropriate coordinated with resources related to COVID-19 recovery.

Table 0-2: Program Design

Core Sector	~~Name~~	Description	Funding Allocation
Infrastructure ~~Programs~~	~~Infrastructure Match Program~~	~~This program~~The **Infrastructure Match Program** will utilize CDBG-DR funding to alleviate the burden for local communities in meeting the local match requirements for the PA program and HMGP in the aftermath of the 2019 disaster.	~~PA~~ ~~$44,978,602 (41.3%)~~**$43,691,100.00** (40.1%)
			~~HMGP~~ ~~$13,712,498 (12.6%)~~
Housing ~~Programs~~	~~Affordable Housing Construction Program~~	**Affordable Housing Construction Program** This program is intended to increase affordable housing supply in flood-impacted areas. The program will be administered by DED and be delivered between two applications. The first application will be in partnership with the Nebraska Investment Finance Authority (NIFA), where Low Income Housing Tax Credits (LIHTC) and Collaborative Resources Allocation for Nebraska (CRANE) Program funding will be leveraged. The second application will be through DED directly, where LIHTC is not a funding source.	**$~~30~~56,800,000** ~~(28%)~~ 52.1%)
	~~Homeowner Assistance Program~~	~~This program will utilize CDBG-DR funding to provide grants to local governments and non-profit organizations to provide housing counseling, training, and homebuyer down payment and closing cost assistance. The program will also provide forgivable loans to LMI homeowners who lost their homes in the disaster and have insufficient funds from other sources to afford another moderately priced home.~~	~~$11,000,000 (10.1%)~~
~~Planning Programs~~	~~Risk Awareness Planning Program~~	~~This program will utilize CDBG-DR funding to reduce risk to private levee failure. The program will be administered by DED in partnership with the Nebraska Department of Natural Resources (DNR).~~	~~$750,000 (0.8%)~~

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Core Sector	Name	Description	Funding Allocation
	Housing Resilience Planning Program	This program will utilize**CDBG-DR makes available funding for eligible planning costs, which may include, but may not be limited to funding for activities in support of: Risk Awareness and Resilience Planning,** utilizing CDBG-DR funding to reduce risk to private levee failure and other flood risks and vulnerabilities. **Housing Resilience Planning,** utilizing CDBG-DR funding to support local jurisdictions and economic development districts in developing plans for housing recovery, resilience, and affordability. The resulting plans will support communities in identifying and leveraging both CDBG-DR and other resources and strategies for housing recovery, resilience, and affordability.	**$2,250,000.00** (2.28%)
Other	Program Administration	Activities to support the administration of CDBG-DR funds.	**$5,446,900** (5.0%)
		Total CDBG-DR Program Funding Allocation	**$108,938,000**

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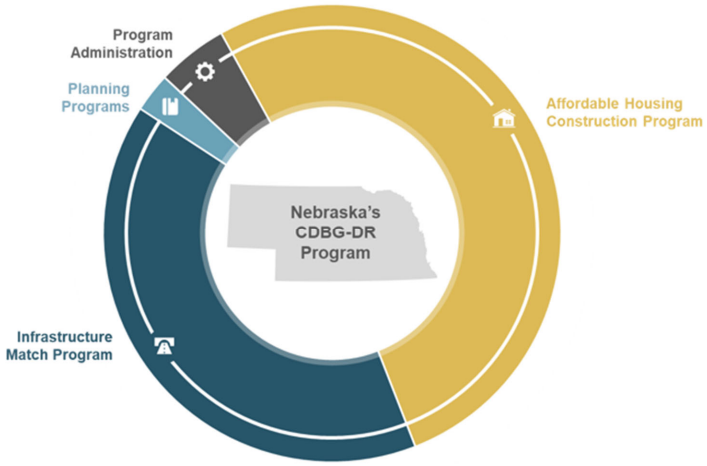
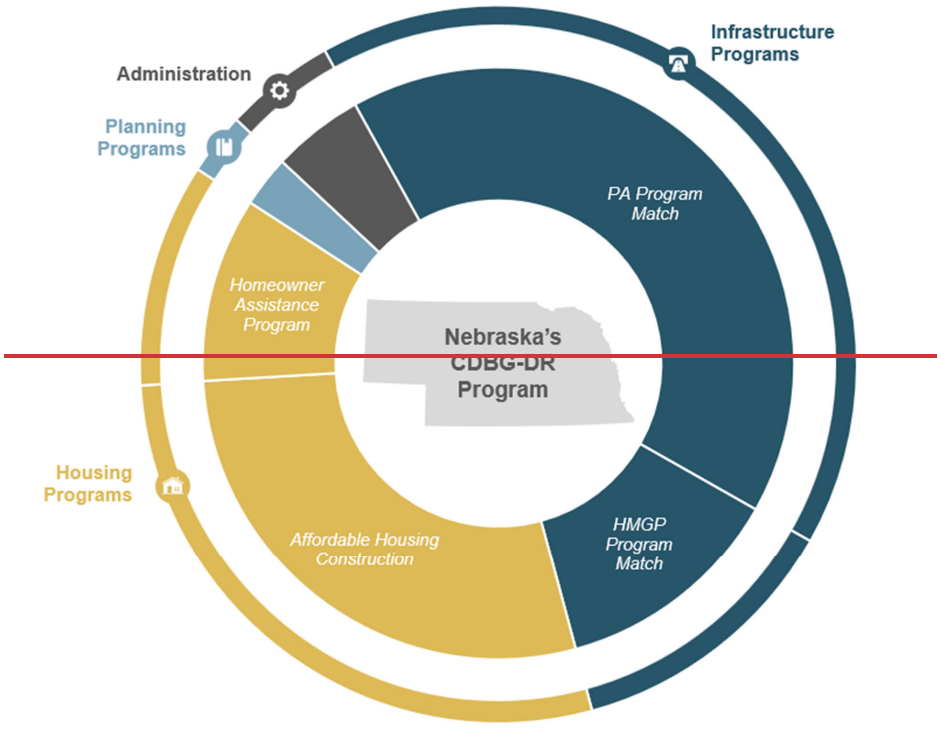
METHOD OF DISTRIBUTION

As illustrated in Table 0-1 and Figure 0-2, Nebraska will allocate CDBG-DR funding for infrastructure through the Infrastructure Match program, and for housing through the Homeowner Assistance and Affordable Housing Construction programs, as amended. The remainder of the grant will be allocated for administration and planning activities. As required by HUD, 80% of funds will be expended in the HUD-identified Most Impacted and Distressed (MID) communities, Sarpy, Dodge, and Douglas counties. Seventy percent of funds will benefit low- and moderate-income (LMI) households, as required by HUD.

Figure 0-2: Method of Distribution





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FOREWORD

Editor's Note: Originally published as part of the Initial Action Plan, which was published for public comment in July 2020 and approved by HUD in April 2021, this forward is retained as a matter of record.

On December 3, 2019, HUD announced an allocation to Nebraska of $108,938,000 in CDBG-DR funding. Issuance of the associated Federal Register Notice followed on January 27, 2020. These funds are intended to assist Nebraskans and their communities in recovering from the devastating effects of the severe weather conditions and subsequent flooding that occurred during the first half of 2019. The impacts of these disasters on Nebraska's infrastructure, housing, and economy were widespread, with damage particularly focused in the eastern part of the state.

In the few months since HUD took the steps outlined above, the nation has experienced the leading edge of the COVID-19 pandemic. Along with the rest of the nation and larger world, this unprecedented public health crisis is profoundly changing economic conditions within the state for the foreseeable future and, as a result, tax revenues are declining due to reductions in economic activity. Although extensive federal resources are being directed to governments, businesses, and individuals to mitigate the impact of the COVID-19 pandemic, just as with the 2019 disasters, the actual needs far exceed the amount of funds available. While working to ensure that this downturn is as short-lived as possible, it is incumbent upon the state to pursue policies and outcomes that maximize the financial resources available. The State of Nebraska faces the difficult work of assessing where the greatest needs and impacts lie.

It is in this emerging environment that the state must consider how best to make use of the CDBG-DR funding which, by federal law, is intended to address unmet recovery needs arising from the 2019 event. This Action Plan responds to unmet needs arising from the 2019 disasters, yet it has been shaped by the current and projected impacts of the COVID-19 health crisis. While this Action Plan may not be what was envisioned when the drafting effort was launched in February of 2020, the use of CDBG-DR funds is consistent with enabling the plan to provide substantial and lasting benefit to Nebraskans in the years to come.

In addition to the significant CDBG-DR funds, the state will be receiving an estimated $307 million from FEMA through its PA program for the repair and reconstruction of public infrastructure. Additionally, through HMGP, the state will receive $57 million to protect against future damage via acquisition and elevation projects. The funding allocated under these two programs has the potential to generate positive direct and indirect impacts on housing across Nebraska.

DED is also administering CDBG-Coronavirus (CV) funding to assist in community-level recovery, prevention, and preparation efforts relating to the coronavirus. CDBG-CV funds are not intended to address impacts resulting from the 2019 disasters.

These FEMA resources, while generous, can only cover up to 75% of a project's cost, leaving the state and/or local governments in the position of having to fund the remaining 25%. Prior consideration by the state to partially address this requirement using tax revenues is now problematic, as those tax receipts have fallen and are likely to remain abnormally low over the next few years. This largely leaves the burden to local governments to meet the 25% match

requirement. Many governments were already in an arduous financial environment prior to the pandemic and associated economic downturn.

To this end, to ensure that FEMA funds are made available and invested in projects beneficial to Nebraska, it has become apparent that an alternative source of the necessary matching funds must be identified. One of the attractive features of CDBG-DR is that, in most cases, it can be used as the state or local matching funds for other federal programs, including FEMA PA and HMGP. As such, **this Action Plan devotes approximately 60% of the available CDBG-DR funding as matching funds to FEMA programs to maximize the overall investment in Nebraska's flood recovery effort.**

The Action Plan does not put forward economic development programming. The COVID-19 crisis has had a profound impact on businesses in the State of Nebraska and offers unique funding opportunities to address needs of these businesses. Given the timing of this crisis, it would have been challenging for businesses to separate ongoing unmet needs from the 2019 disasters from the needs arising from the current economic crisis. This challenge was avoided in order to maintain compliance with the Federal Register, which strictly dictates that the CDBG-DR allocation is not allowed to contribute to needs not related to DR-4420.

CDBG-DR represents a down payment against unmet long-term recovery needs, which this Action Plan estimates at approximately $249.9 million. The reality is that difficult decisions on the deployment of the CDBG-DR funds were always on the horizon, and the COVID-19 crisis has altered the state's evaluation of the alternatives. In making these decisions, it is important for Nebraskans with unmet recovery needs and for Nebraska's federal partners to understand that there is a concerted commitment to finding the best possible options to address those remaining needs. Many such needs can be resolved more quickly, effectively, and reasonably with resources other than CDBG-DR. Our goal is ensuring that Nebraska recovers from the 2019 floods and is more resilient in the face of any similar event in the future.

1 INTRODUCTION

1.1 PURPOSE

In early 2019, the State of Nebraska suffered record-breaking damage due to severe winter weather (Winter Storm Ulmer), straight-line winds, and flooding, all of which contributed to a major disaster declaration (DR-4420) under the Stafford Act. Due to the magnitude of this damage and initial understanding of unmet needs, the State of Nebraska will receive a $108,938,000 grant through the HUD CDBG-DR program to support long-term recovery efforts. The CDBG-DR program is intended to fund activities that specifically address unmet recovery needs in impacted communities. As the HUD-identified Most Impacted and Distressed (MID) areas, Sarpy, Dodge, and Douglas counties will be the target recipients of at least 80% of CDBG-DR funds.[3]

The State of Nebraska will serve as the grantee for the CDBG-DR program and the Nebraska Department of Economic Development (DED) will be responsible for overseeing the administration of different grant-funded recovery programs. In compliance with the policies and procedures of the CDBG-DR program, DED has developed this Action Plan ("Plan" or "AP") to:

- Summarize the unmet needs of recovery from DR-4420;
- Describe the method of distribution of funding; and
- Describe the programs and activities that DED will implement using the funding.

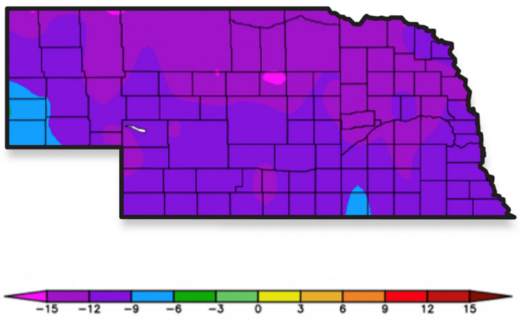
DED also administers the State CDBG Program. The purpose of CDBG-DR funding is similar to the CDBG program in terms of the core principles (e.g., meeting of the national objectives) and cross-cutting requirements (e.g., procurement requirements). Key differences between the CDBG program and the CDBG-DR funding includes elements of eligibility (e.g., "tie-back" to the declared disaster) and some flexibility in program delivery that allows for activities to be carried out in non-entitlement and entitlement areas.[4]

[3] HUD originally identified the MID areas as being the entirety of Sarpy County, zip code 68025 (Fremont, Inglewood) in Dodge County, and zip codes 68064 and 68069 in Douglas County. Nebraska will expand the MID to include all of Dodge County and Douglas County.
[4] HUD, n.d. CDBG and CDBG-DR: A Comparison. Retrieved at: https://www.hudexchange.info/resources/documents/CDBG-and-CDBG-DR-Comparison.pdf

1.2 SUMMARY OF STORM IMPACT

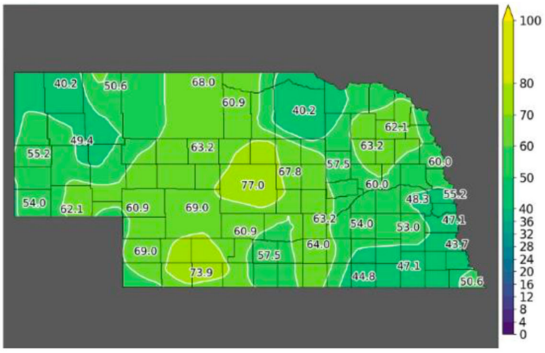
Flooding is not new to Nebraska. Notable storms have impacted the state in 1993, 2000, 2010, and 2011, resulting in numerous presidential disaster declarations and hundreds of millions of dollars spent on recovery, funded by FEMA's PA Program.[5] Despite this history of flooding, the impacts of the 2019 disasters were unprecedented and created devastating results.

Figure 1-1: Departure from Normal Temperature (F), 2/1/2019 to 2/28/2019



During the 2018-2019 winter season, Nebraska experienced record low temperatures that created frost depths approximately two feet deep and ice cover on rivers and creeks that eventually caused ice jams in several locations. February 2019 was also the coldest month in 18 years in Nebraska. Recorded temperatures were 12 to 15 degrees lower than normal across most of the state during this period (Figure 1-1). These factors contributed to the unprecedented damage Nebraska experienced in the months that followed.

Figure 1-2: Peak Wind Gusts (mph) in Nebraska on 3/14/2019



Winter Storm Ulmer, a bomb cyclone – or "winter hurricane," a term given to a rapidly intensifying storm – roughly equivalent in power to a Category 2 hurricane, moved across Nebraska between March 12 and 15, 2019. Recorded wind gusts during the cyclone approached 80 mph in many parts of the state and contributed to blinding blizzard conditions that closed highways and stranded motorists (Figure 1-2[6]).

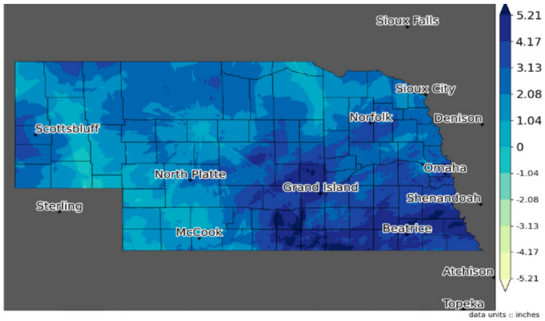
The bomb cyclone also brought heavy snow, blizzard conditions, rainfall, and above-freezing temperatures into much of the interior of the US. This part of the country already had significant snowpack on the ground due to above-average precipitation during the 2018-2019 winter season.

[5] Nebraska Department of Natural Resources, 2013. "State of Nebraska Flood Hazard Mitigation Plan." Retrieved at: https://dnr.nebraska.gov/sites/dnr.nebraska.gov/files/doc/floodplain/Nebraska_Flood_Mitigation_Plan_2013.pdf.

[6] *Daily Automated Station Summaries* distributed by Iowa Environmental Mesonet. https://mesonet.agron.iastate.edu/.

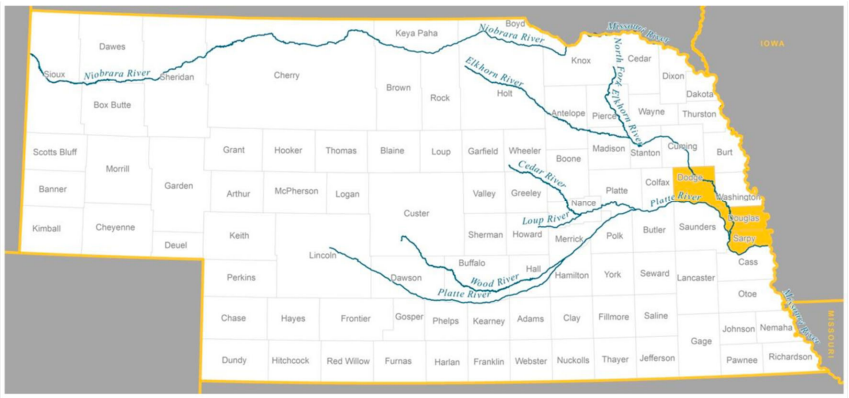
The six-month period between September 1, 2018 and March 1, 2019, comprised the fifth wettest fall and winter seasons in 124 years of records, resulting in high water tables and several inches of saturating snowpack.[7] As shown in Figure 1-3[8], some areas of Nebraska received as much as 10 inches of precipitation above average between September and December 2018.

Figure 1-3: Precipitation Departure from Average (inches), 1/1/2019 to 3/31/2019



Nebraska experienced its worst flooding event in 50 years between March and July 2019. As temperatures warmed in April and May 2019, the heavy snow and excessive rainfall from the 2018-2019 winter season contributed to rapid melting of ice and snow, resulting in flooded rivers and ice jams that breached levees, damaged infrastructure, and destroyed thousands of homes and businesses.[9] The worst flooding occurred along the banks of the rivers (Figure 1-4).[10] The eastern side of the state was particularly impacted by flooding, resulting in fatalities, evacuations, and search and rescue missions.

Figure 1-4: Nebraska's Rivers that Experienced Flooding during the 2019 Disasters



[7] Gaarder, 2019. "Record snowfall, 'historic' bomb cyclone are forces behind Nebraska floods, blizzard." Retrieved at: https://www.omaha.com/weather/record-snowfall-historic-bomb-cyclone-are-forces-behind-nebraska-floods/article_b7b6547d-d4d2-5363-ad64-1142f87a513a.html.

[8] *Daily Automated Station Summaries* distributed by Iowa Environmental Mesonet. https://mesonet.agron.iastate.edu/.

[9] National Weather Service, 2019. "Mid-March 2019: Historical, Catastrophic Flooding Impacts Parts of Central/South Central Nebraska." Retrieved at: https://www.weather.gov/gid/march2019flood

[10] Rivers that experienced flooding included the Niobrara River, North Fork Elkhorn River, Elkhorn River, Loup River, Cedar River, Wood River, Platte River, and Missouri River.

In many areas, the flood damage was exacerbated by thick river ice breaking off in an atypically severe manner. Bridges were washed away by flooding or rendered impassable due to accumulated ice chunks. The scale of the dislodged ice can be seen in Figure 1-5.

Figure 1-5: Photo of Ice Accumulation after 2019 Disaster

1.3 DISASTER RECOVERY IN NEBRASKA

To help address recovery needs, Nebraska's CDBG-DR program will work within the context of a larger group of recovery programs available to communities. These efforts are spearheaded by the Governor's Task Force for Disaster Recovery (see Attachment B for a full list of participating agencies). The Governor's Task Force meets on a regular basis to identify long-term recovery needs and prioritize funding to coordinate recovery. Information collection and reporting accounts for all needs statewide, while maintaining focus on the impacts in HUD-defined MID areas. Through the Task Force, three planning documents are being developed to guide the state's recovery:

- The *Baseline Conditions and Impact Assessment Report* summarizes the impacts of DR-4420 so that Nebraska's leaders and communities can make informed decisions about

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long-term recovery. Information from this report informed parts of the Unmet Needs Assessment section of this Action Plan.

- The *Long-Term Recovery and Resilience Plan* builds on the findings presented in the *Baseline Conditions and Impact Assessment Report* to generate a series of recommendations for long-term recovery, informed by stakeholders across the state.[11] The findings of this plan will be used to responsibly prioritize and allocate finite resources in each of the categories assessed to meet the needs of disaster survivors as effectively as possible. The *Long-Term Recovery and Resilience Plan* will represent the formal record of this resource prioritization and allocation effort.
- The *Disaster Recovery Action Plan* presents the formal HUD Unmet Needs Assessment and a plan for implementation for the CDBG-DR program to support recovery efforts across the state. This plan meets the requirements as outlined by HUD, but also aligns with the recovery priorities of the state.

In addition to the planning documents listed above, Section 5.3.2 describes the Housing Resilience Planning ~~Program~~, which communities may utilize to further assess their long-term recovery needs. ~~-~~As with all CDBG-DR programs, HUD-defined MID areas will be prioritized under ~~this~~these planning ~~program.~~ activities.

Based on these planning documents, the State of Nebraska must also consider the need for additional support (e.g., increase in staffing needs, contractor support) to manage federally funded recovery programs, educate localities on implementing mitigation measures to prevent against future losses, and additional needs that are likely to arise during the recovery process.

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[11] The *Long-Term Recovery and Resilience Plan*'s development was initiated prior to the Disaster Recovery Action Plan for CDBG-DR and thus CDBG-DR funding will not be used to develop a disaster recovery and response plan.

2 UNMET NEEDS ASSESSMENT

As contemplated in the Initial Action Plan, the unmet needs CDBG-DR funds can support are a moving target. Action Plan amendments are a tool for accounting for and addressing changing unmet needs throughout the long-term recovery process. As amended, this Action Plan attempts to tell the story of the evolving unmet needs and how its programs address them while acknowledging those needs have been addressed with the support of CDBG-DR, other means, or remain unmet; or where the unmet needs shifted (e.g., where the local cost-share was reduced by the Executive Branch).

In the interest of telling the story of recovery, this Unmet Needs Assessment (UNA) reflects the assessment made in the Initial Action Plan. Therefore, Figure 2-1 below represents the original UNA and has not been changed via amendment. However, where revisions to the UNA findings have been made by subsequent Action Plan Amendments, those changes are so noted in the associated Summary of Changes and incorporated within the Action Plan, as amended. Their effect on program details and budgets are reflected in Section 3: Method of Distribution and Section 5: Program Design. Importantly, not all amendments may affect the UNA and Method of Distribution.

2.1 CHANGES BY AMENDMENT

Amendment 1 (Substantial). Indirect impact on UNA. Changes were incorporated to address program design considerations. As programs were being readied for launch, certain details needed to be modified.

Amendment 2 (Nonsubstantial). Direct impact on UNA. Table 2-1 is an overview of programs launched by the time of this amendment. Additional funds are expected to be awarded in all programs, but the initial response shows the need for additional funding in the Affordable Housing Construction Program, and less need than originally forecasted in the Infrastructure Match Program for FEMA PA. Furthermore, and as also demonstrated in Table 2-1, the interest in AHCP-LIHTC was much higher than anticipated, so making additional funding available to support the demonstrated interest in AHCP-HPP was necessary. Funds to support housing construction continue to be discussed. Conversely, with the change to the local cost-share for FEMA PA projects, down to 10% from 25%, the actual unmet needs for those projects have been significantly reduced.[12] Using the November 2019 total of PA project awarded value of $313,905,205, the original 25% local match need was $78,476,301, but with 10% cost share is only $31,390,521. While additional project value has been approved since November 2019, the unmet need is still significantly less than originally forecast. Funds to support other infrastructure activities continue to be discussed.

[12] On May 28, 2021, President Biden made additional disaster assistance available to the State of Nebraska by authorizing an increase in the level of Federal funding for FEMA Public Assistance projects as a result of Winter Storm Ulmer (DR-4420), thereby reducing the unmet need for CDBG-DR funds to support local cost share requirements. See https://www.fema.gov/press-release/20210528/president-joseph-r-biden-jr-amends-nebraska-disaster-declaration.

In sum, once the FEMA PA reimbursement level was increased from 75% to 90% for this disaster, fewer CDBG-DR funds were required to meet the non-Federal match requirements. The Housing Programs have ongoing demand, so funds made available by the Infrastructure Match Program have been moved into the Affordable Housing Construction Program in Amendment 2.

Amendment 3 (Substantial). Direct impact on UNA. APA3 reflects the actual program demand actually received as of mid-2023 in the FEMA PA and HMGP programs and the Housing programs. Because of this demand, this APA3 moves an additional $15.0M from the FEMA PA Match Program to AHCP, $15.0M from FEMA PA Match to FEMA HMGP Match, eliminates the Housing Assistance Program and moves its $11.0M budget to AHCP. APA3 also updates graphics related to FEMA PA Match to reflect awarded project value as of July 2023 and the dollar amount reimbursed by FEMA under the new 90% reimbursement rate.

Table 2 ~~0:~~ 1: Program Launch, Summary of Applications and Funding Decisions[13]

	Program Name	Application Cycle Summary	Initial Action Plan Allocation Amount	Submissions		Initial DR Awards[14]		Award Variance from Initial Action Plan
				Pre-App[15] (#)	Full App (#)	Projects (#)	Initial DR Project Costs ($)	
Infrastructure Programs	**Infrastructure Match Program**	Public Assistance • DED issued NOFO for PA and HMGP subrecipients, April 2022 • Full Application, May 2023 • Detailed Eligibility, June 2023	$49,778,602.00	269	222	222	$7,776,765.58	$42,001,836.42
		HMGP • *Same timeline as PA*	$13,712,498.00	11	12	12	$7,107,262.01	$6,605,235.99
Housing Programs	**Affordable Housing Construction Program**[16]	LIHTC QAP 2022 • 4% allocations/awards, April 2022 • 9% allocations/awards, June 2022	$26,000,000.00	10	10[17]	5	$10,000,000.00	$~~6,000~~5,250,000.00
		LIHTC QAP 2023 • 9% allocations/awards October 2022 • 4% allocations/awards February 2023		10	10[18]	5	$10,000,000.00[19]	
		HPP • LOI, May 2023 • Application Closed, June 2023		17	10[20]	~~n/a~~[21] 1	$750,000~~n/a~~	
			Total Anticipated DR Awards			**244**	**$34,884,027.59**	

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[13] QPRs include additional application cycle details.

[14] Initial Awards are subject to change based on actual, eligible Project Costs. These figures do not include Activity Delivery Costs.

[15] Pre-applications include formal preliminary applications for funding, letters of intent, and the like.

[16] As described in Sections 3 and 5, the AHCP includes multiple avenues for applicants to compete for CDBG-DR funds. As of ~~June~~ mid-2023, application cycles for the LIHTC/Joint Application and HPP have demonstrated a greater than anticipated interest in housing construction activities.

[17] Requested $20,000,000

[18] Requested $20,000,000

[19] A total of $8,000,000 was awarded under the 9% allocation and $2,000,000 under the 4% allocation.

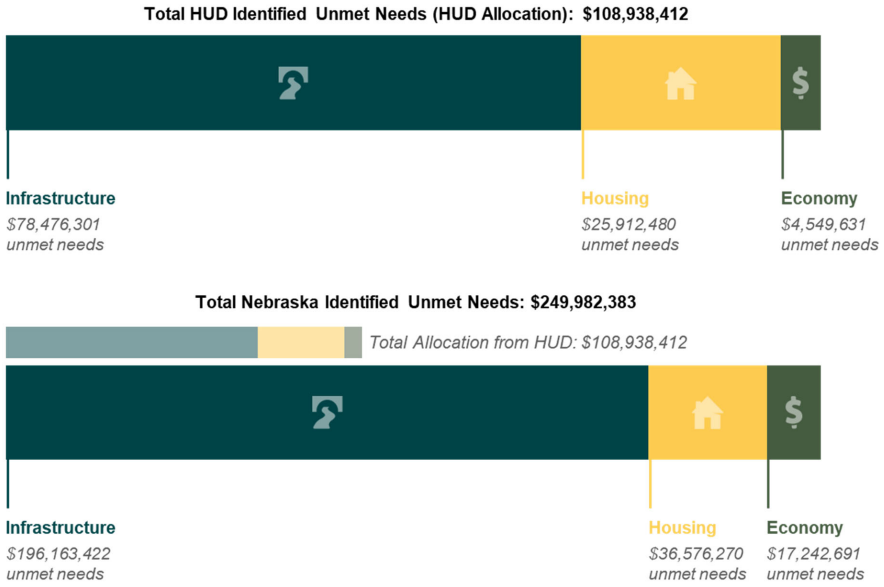
[20] Requested DR funding was $15,939,829.

[21] ~~Not yet awarded at the time of this Amendment 2.~~

2.2 INTRODUCTION AND BACKGROUND[22]

Through the Additional Supplemental Appropriations for Disaster Relief Act 2019,[23] HUD allocated the State of Nebraska $108,938,000 to address housing, infrastructure, and economic recovery unmet needs[24] and to support the long-term recovery efforts following the 2019 disasters.[25] Grantees, such as the State of Nebraska, that are awarded CDBG-DR funding after a major disaster declaration are provided an allocation of funding based on unmet needs as defined and calculated by HUD, using damage estimates reported by FEMA and the US Small Business Administration (SBA). Nebraska's $108,938,000 allocation represents the aggregate of unmet infrastructure needs, serious unmet housing needs in the Most Impacted and Distressed (MID) areas (see Section 2.3.2), and serious unmet economic revitalization needs as calculated by HUD (Figure 2-1~~Figure 2-1~~).

Figure 2-1: HUD and Nebraska Determined Unmet Needs (Initial Action Plan)



[22] This Unmet Needs Assessment generally reflects the assessment made in the Initial Action Plan. Updated data has been added where possible. See Section 2 for additional discussion.
[23] Per Public Law 116-20.
[24] The unmet need is defined as the anticipated gap in estimated costs of damage and the federal assistance that can be met with local and state contributions and/or other sources.
[25] Allocations, Common Application, Waivers, and Alternative Requirements for Disaster Community Development Block Grant Disaster Recovery Grantees, 85 Fed. Reg. 17 (January 27, 2020). *Federal Register: The Daily Journal of the United States*. Web. 27 January 2020.

2.2.1 UNMET NEEDS ASSESSMENT PURPOSE

Grantees who receive an allocation through the CDBG-DR program are required to conduct an Unmet Needs Assessment (UNA) to assist in the identification and prioritization of critical unmet needs following a disaster and to identify long-term recovery efforts that will mitigate against future disasters. The goal is to enable the grantee to design recovery programs to meet the needs of its citizens and to be responsive to the types and locations of actual needs on the ground. As a grantee, the State of Nebraska must use the funds allocated in a strategic manner, utilizing the funding in the most-impacted, vulnerable areas while addressing a wide range of projects and needs throughout the impacted areas.

The UNA analyzes short- and long-term impacts of the disaster, assesses immediate recovery needs of the communities affected, and describes the ongoing recovery efforts. The assessment also includes mitigation and resilience measures for long-term planning. The analysis of unmet needs will evolve over time and will be re-evaluated as assistance is provided and needs shift.

The UNA presents findings based on best available data at the time of publication. These findings represent a point-in-time snapshot of disaster impacts and are subject to change as new data is collected or identified. The maps and graphics contained in this report are intended to help synthesize available information to convey the scale and location of impacts; however, no single map or image can effectively summarize the impacts of the 2019 disasters. These images are intended to supplement the narrative contained within the report.

2.2.2 CALCULATING UNMET NEEDS

CDBG-DR funds are intended to primarily address unmet needs in the HUD-identified Most Impacted and Distressed (MID) areas with a focus on housing for low- and moderate-income (LMI) households and individuals.[26] HUD defines LMI as households and individuals that are at or below 80% of the area median income (AMI). The following sections describe how HUD determines which areas represent the HUD-defined MID and how unmet infrastructure needs, serious unmet housing needs, and serious unmet economic revitalization needs are calculated by HUD.

2.2.2.1 Determining the Most Impacted and Distressed Areas

In accordance with the Federal Register27 and statutory requirements, HUD is required to identify the MID areas and directs grantees to use a majority of their award (no less than 80% of the total allocation) in these areas. HUD also takes into consideration:

- **Individual Assistance (IA) Individuals and Households Program (IHP) designation.** HUD partially bases its funding allocations on damage estimates in areas where FEMA determined damage was sufficient to declare the county as eligible to receive IHP funding. IHP is a FEMA program that provides financial and direct

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[26] 85 Fed. Reg. 17 (January 27, 2020).
[27] Ibid.

services to eligible individuals and households affected by a disaster who have uninsured or underinsured necessary expenses and serious needs.

- **Concentrated damage.** HUD estimates *serious unmet housing needs* in counties and zip codes with high levels of damage, collectively referred to as MID areas. For this allocation, HUD defines the MID areas as either most impacted counties—counties exceeding $10 million in serious unmet housing needs—and most impacted zip codes—zip codes with $2 million or more of serious unmet housing needs.
- **Disasters meeting the most impacted threshold.** HUD provided funds to 2018 and 2019 disasters that met the "most impacted" damage threshold described above.

Serious unmet housing needs are defined as: FEMA-inspected housing units with damage that exceed the major-low threshold for real property or personal property damage (***Table 2-2*** ~~***Table 2-2***~~). It is relevant to note that this data does not account for whether a household is low- to moderate-income (refer to Sections 2.4.2 and 2.5.2 for further discussion).

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While 80% of the total allocation must benefit the HUD-defined MID area, the remaining 20% may be directed to benefit the "State-defined MID area". Appendix B: Eligible Areas~~Eligible Areas~~ includes a complete list of counties included within the State-defined MID Area (refer to Section 2.2 for further discussion).

Table 2-2: HUD Damage Categories

Category		Real Property Damage	Personal Property Damage
Minor-Low		Less than $3,000	Less than $2,500
Minor-High		$3,000 to $7,999	$2,500 to $3,499
Serious Unmet Housing Needs	Major-Low	$8,000 to $14,999	$3,500 to $4,999
	Major-High	$15,000 to $28,800	$5,000 to $9,000
	Severe	Greater than $28,800, destroyed or 6+ feet of flooding	Greater than $9,000, destroyed or 6+ feet of flooding

2.2.2.2 Identification of Pre-Disaster Homelessness

In addition to its review of unmet needs generated by the floods, the unmet needs assessment took into consideration pre-disaster homelessness. According to HUD, approximately 2,421 people are experiencing homelessness in the State of Nebraska based on the 2020 Point-in-Time count, which is only a limited increase compared to the 2019 count.[28] Most individuals without homes are sheltered, with only about six percent of individuals being unsheltered at any given time. These statistics indicate that 0.13 percent of the state's population is experiencing homelessness.

Data from 2019 identifies that at the time of the floods, an estimated 2,365 persons were experiencing homelessness pre-disaster, including 201 family households, 175 Veterans, 151

[28] United States Department of Housing and Urban Development, 2018. "PIT and HIC Data Since 2007." Retrieved at: https://www.hudexchange.info/resource/3031/pit-and-hic-data-since-2007/

unaccompanied young adults, and 454 individuals in a state of chronic homelessness, per reporting by the Continuums of Care to HUD.[29] Figures in the MID area, as represented by the Omaha, Council Bluffs Continuums of Care area,[30] reflect consistent rates of homelessness in 2018 and 2019, with approximately 1,410 individuals reported as experiencing homelessness for both years.[31]

To support services for these populations, the Affordable Housing Construction Program will incorporate opportunities that may provide benefit to households experiencing homelessness, as reflected in the program's scoring criteria.

2.2.2.3 Post-Disaster Housing Damage

Post-disaster housing damage is calculated using data obtained by FEMA and SBA from housing inspections completed on damaged properties as of November 1, 2019. Based on the amount of real and personal property damage, HUD categorizes each inspected unit into five categories (Table 2-2~~Table 2-2~~). The calculation HUD uses to determine unmet housing needs is based on verified damage above the Major-Low threshold in the HUD-defined MID areas (Table 2-3).

Table 2-3: Details of HUD Calculated Housing Damage[32]

County	Zip Codes	Total All Damages	Total Serious Damage
Dodge	68025	681	277
Douglas	68064	345	182
	68069	167	81
Sarpy	Entire County	729	561
	Total	**1922**	**1101**

The UNA calculated the total levels of unmet need resulting from the 2019 floods for all inspected properties with reported damage to demonstrate the total impact to the State of Nebraska, as reflected in Table 2-4. This information was captured at a later point in time than HUD's original assessment to reflect updated needs data.

[29] United States Interagency Council on Homelessness. 2019. Nebraska Homelessness Statistics. Retrieved from https://www.usich.gov/homelessness-statistics/ne/#:~:text=As%20of%20January%202019%2C%20Nebraska,and%20Urban%20Development%20(HUD).
[30] The Omaha Council Bluffs covers MID areas Douglas and Sarpy Counties.
[31] HUD Exchange. 2019. "2007-2019 Point in Time Estimates by CoC." Retrieved at https://www.hudexchange.info/resource/5948/2019-ahar-part-1-pit-estimates-of-homelessness-in-the-us/
[32] The information provided in Table 2-3~~Table 2-2~~ is based on HUD's original assessment, which was completed at a different point in time than the UNA completed for this Action Plan.

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Table 2-4: Details of UNA Calculated Housing Damage by Unit

Category		HUD-Defined MID Area	State-Defined MID Area	All Areas (Total)
Minor-Low		789	1111	1900
Minor-High		384	432	816
Serious Damages	Major-Low	259	212	471
	Major-High	253	106	359
	Severe	178	37	215
Total All Damages		1,863	1,898	3,761
Total Serious Damages		690	355	1,045

As summarized in Table 2-6, FEMA data indicates that 80% of the damages were reported for owner-occupied units and 20% were reported for renter-occupied units. These figures are discussed further in section 2.5.2.1.1, which provides an overview of the demographics represented in the FEMA data.

2.2.2.4 Unmet Need Estimating Factors

DED and NIFA worked alongside federal partners (e.g., HUD, FEMA, USDA), local jurisdictions, and a consortium of volunteer agencies to assess unmet needs and assist communities with rebuilding. DED staff assisted in the formation of, and continue to participate in, the Long-Term Recovery Groups (LTRG). The ongoing efforts of these groups demonstrate that many alternative private, public, and non-profit resources have and continue to address a significant amount of unmet need resulting from the flood events.

Many residents lacked adequate insurance, with approximately 81.7% of homeowners lacking flood insurance and 23.3% lacking general home insurance. More than 95% of renters lacked flood and renter insurance (98.2% and 97.4%, respectively).[33] For households with flood insurance, NFIP data indicates that 1,026 claims that were paid out after the 2019 disaster with $5,994,846 in advance payments and $39,673,497 in total payments as of July 29, 2019, the date of the final Claims Estimate Report associated with the disaster.[34] Federal assistance was provided through multiple FEMA assistance programs, as well as FEMA's ongoing HMGP (see also 2.4.4 Federal Assistance for additional detail).

Table 2-5 outlines the number of FEMA and SBA applicants based on the HUD Unmet Need determination analysis, as well as the level of insurance coverage in MID areas, where NFIP estimates reflected the greatest number of claims of any areas affected in the state. This analysis considers the number of applicants with insurance coverage and who were approved for an SBA loan in the MID areas.

[33] Application and inspection data obtained from FEMA database last updated 10/30/2020.
[34] Nebraska Emergency Management Agency, February 7, 2020. "FEMA-4420-DR-NE Weekly Unified Recovery Outcomes Dashboard."

Table 2-5: HUD Unmet Need Estimating Factors in Counties with IA Declarations

County	Insurance Coverage		SBA Loans		HUD Category		
	Number of Claims		*Number of Loans*		*Number of Claims*		
	Homeowners	NFIP	Applied	Approved	Real Property	Personal Property	
						Owner	Renter
Dodge	676	319	441	189	832	86	77
Douglas	666	222	466	206	623	136	55
Sarpy	552	201	609	283	398	264	172
Remaining Counties	2,374	290	1,119	559	2,561	184	67
Total	**4,268**	**1,032**	**2,635**	**1,237**	**4,414**	**670**	**371**

2.2.2.5 Remaining Serious Unmet Housing Needs

HUD conducted an unmet needs assessment that captured the total serious unmet housing needs in the HUD-defined MID area in December 2019. The findings from this assessment are summarized in Table 2-6~~Table 2-6~~. As of APA3, data is available from application rounds of programs under the AHCP to show higher than expected demand for funding for affordable housing units. Details of this increased Unmet Housing Need is shown in Table 2-6.

Table 2-6: HUD Total Serious Unmet Need Estimate (Initial Action Plan)[35]

County		Zip Codes	Estimated Serious Unmet Housing Needs			
			Value ($)	*Number of Housing Units*		
				Owner	*Renter*	*Total*
HUD-Defined MID Area	Dodge	68025	$4,961,936	137	32	169
	Douglas	68064	$4,659,244	100	31	131
		68069	$2,287,482	58	5	63
	Sarpy	Entire County	$14,003,818	280	67	347
Total			**$25,912,480**	**575**	**135**	**710**

HUD identified 710 total units in their unmet need calculation. The State conducted its UNA at a later point in time, during which 690 total units were identified as still requiring assistance (see Table 2-4). To determine how many of these units would require funding through the CDBG-DR program, DED conducted a data analysis to review the total number of homes served through existing State housing programs.

Since the 2019 floods, the State's active housing programs have prioritized the needs of disaster-impacted families and implemented many projects in HUD-defined MID areas. DED moved

[35] The information provided in Table 2-3~~Table 2-2~~ is based on HUD's original assessment, which was completed at a different point in time than the UNA completed for this Action Plan.

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quickly in 2019 to use an open Nebraska Affordable Housing Trust Fund (NAHTF) funding round to establish a disaster funding priority. This action required an amendment to the Qualified Allocation Plan (QAP) and public comment period. Additionally, scoring priority for disaster related projects was incorporated into the joint NIFA and DED LIHTC/HOME/HTF funding program for 2020 applications received in the fall of 2019. NIFA launched its First Home Grant program in 2020.

Included in these housing programs are efforts and prioritization to specifically address the needs of vulnerable populations. For example, NAHTF and HUD's Emergency Solutions Grant (ESG) fund the Nebraska Homeless Assistance Program (NHAP) to serve the needs of persons experiencing homelessness across the state. NHAP reserves $75,000 annually of the Homeless Shelter Assistance Trust Funds to be distributed in the event of a natural disaster to assist individuals and families that are homeless and at risk of homelessness due to the effects of a natural disaster within the State of Nebraska. In instances where natural disaster relief funds are not necessitated within the program year, the legislatively established set-aside funds of $75,000 are allocated for the subsequent fiscal year to maintain the natural disaster relief fund.

Specific planning documentation and details regarding these funds' prioritization of disaster survivors are reviewed in Table 2-7~~Table 2-7~~. The total number of projects prioritizing disaster-impacted households in HUD-defined MID areas that have been directly funded through 2019 and 2020 funding rounds are detailed in Table 2-8~~Table 2-8~~.

Table 2-7: State Housing Program Support to Disaster Survivors

Fund	Disaster Survivor Accommodations
Nebraska Affordable Housing Trust Fund	NAHTF Activities for the 2019 funding cycle included designated funding for Disaster Recovery Housing Projects totaling 27% of the overall NAHTF budget.[36] The 2020 Qualified Allocation Plan also prioritizes Disaster Recovery efforts through the Program's selection criteria.[37]
HOME, HTF, and CRANE	HOME, HTF, and CRANE funds are administered per the 2015-2019 Consolidated Plan, which incorporates scoring criteria to prioritize communities designated as natural disaster areas.[38]
CDBG Owner Occupied Rehabilitation Fund	CDBG OOR funds are directed per the 2020-2024 Consolidated Plan for Housing and Community Development, which identifies families impacted by natural disasters as a priority.[39]
Nebraska Rural Workforce Housing Fund	The NRWHF program addresses moderate-income, affordable housing needs and includes activities implemented in HUD-defined MID areas.[40]

While the COVID-19 pandemic has impacted the timelines for efforts by volunteer organizations and the construction workforce, the Governor's Task Force estimates that up to 70 disaster-impacted homes were being completed per month by volunteer organizations prior to the pandemic. For example, Habitat for Humanity of Omaha has completed repairs or reconstruction to 31 homes, with 37 homes in progress. These efforts continue, and the Governor's Task Force reports that approximately 177 units have been repaired or reconstructed to date by volunteer organizations. Habitat for Humanity of Omaha currently plans to repair at least 25 additional homes. Based on these and other LTRG reports, volunteer efforts ~~are expected~~were anticipated to accelerate as the construction season ~~resumes~~resumed in early 2021.

Table 2-8~~Table 2-8~~ details how various programs are expected to address remaining unmet housing needs. These programs will focus on permanent housing needs, as DED did not identify remaining interim housing needs during the unmet needs assessment. The table does not account for the activities of volunteer organizations as discussed above due to the lack of specific projections from the full universe of volunteer organizations. However, as indicated, approximately 177 units have been repaired or rebuilt to date and volunteer organizations, and the activities of these organizations are expected to increase in the spring of 2021 as the construction season resumes and limitations associated with the COVID-19 pandemic are potentially eased.

[36] DED. 2019. "National Affordable Housing Trust Fund 2019 Qualified Allocation Plan Amendment." Retrieved at https://opportunity.nebraska.gov/wp-content/uploads/2019/04/2019-Amendment.pdf.
[37] DED. 2020. "National Affordable Housing Trust Fund Qualified Allocation Plan." Retrieved at https://opportunity.nebraska.gov/wp-content/uploads/2020/02/2020-NAHTF-QAP-FINAL.pdf
[38] DED and NIFA. 2019. "State of Nebraska Appendix for 2015-2019 Consolidated Plan & 2015 AAP." Retrieved at https://opportunity.nebraska.gov/wp-content/uploads/2017/05/Appendix_EDITS_FINAL_2015.pdf.
[39] DED and DHHS. 2020. "State of Nebraska Consolidated Plan for Housing and Community Development." Retrieved at https://opportunity.nebraska.gov/wp-content/uploads/2020/06/Nebraska_Consolidated-Plan_20-24_20200612.pdf.
[40] State of Nebraska. 2020. "Gov. Ricketts, DED Open Application Period for Second Round of Rural Workforce Housing Grants." Retrieved at https://opportunity.nebraska.gov/gov-ricketts-ded-open-application-period-for-second-round-of-rural-workforce-housing-grants/

Table 2-8: Calculation Breakdown to Determine Estimated Serious Unmet Housing Needs in MID Areas[44] (Initial Action Plan)[42]

UNA Estimates of Remaining Serious Unmet Need				
Data Source	**Unmet Need in State MID Areas (Units)**	**Unmet Need in HUD MID Areas (Units)**	**Unmet Need in All Areas (Units)**	**Unmet Need in All Areas ($)**
UNA Estimate of Remaining Unmet Need in MID Areas	355	690	1,045	$36,576,270
Estimated Impact of Nebraska Activities to Address Housing Needs as of March 2020				
Fund/Effort	**Impact in State MID Areas (Units)**	**Impact in HUD MID Areas (Units)**	**Total Impact in All Areas (Units)**	**Total Impact in All Areas ($)**
2019 Nebraska Affordable Housing Trust Fund	74	56	130	$6,259,200
2019 HOME CHDO Funding	4	0	4	$266,000
2019 HOME/LIHTC	43	20	63	$1,900,000
2019 CDBG Owner Occupied Rehabilitation Fund	20	0	20	$547,000
Subtotal	***141***	***76***	***217***	***$8,972,200***
Estimated Impact of Additional Nebraska Activities to Address Housing Needs Awarded March 2020 – October 2020				
Fund/Effort	**Impact in State MID Areas (Units)**	**Impact in HUD MID Areas (Units)**	**Total Impact in All Areas (Units)**	**Total Impact in All Areas ($)**
Nebraska Rural Workforce Housing Fund	308	72	380	$4,494,100
2020 Nebraska Affordable Housing Trust Fund	59	96	155	$5,945,000
2019 HOME CHDO Funding (Additional Award)	1	0	1	$237,885
2020 HOME CHDO	7	0	7	$550,000
2019 HOME/LIHTC (Round 2)	36	48	84	$165,000
2020 HOME/LIHTC	0	123	123	$2,591,000
2019 HTF/CRANE	0	23	23	$750,000
2020 CDBG Owner Occupied Rehabilitation Fund	18	0	18	$547,000
Subtotal	***429***	***362***	***791***	***$15,279,985***
Total Remaining Unmet Need	***0***	***252***	***252****	***$25,160,270****

*The estimated total remaining unmet need in all areas is calculated as the sum of remaining unmet need in State-identified MID areas and HUD-identified MID areas. Note that all of the identified State resources contribute to affordable housing in the impacted areas, and disaster impacted households were prioritized as described in this

section. Precise data on the number of disaster impacted households versus other qualifying households benefiting from these programs was not available at the time of this analysis.

Due to limited funding, DED will address what HUD defines as serious damages (i.e., severe, major-high, and major-low) in unmet housing needs. While the above-identified housing programs are prioritizing disaster survivors (see Table 2-7~~Table 2-7~~), DED ~~acknowledges~~acknowledged in the Initial Action Plan that there may ~~be~~have been a gap by only addressing the remaining $25 million in identified unmet needs. ~~These figures are summarized below in Table 2-9 with the estimated total impact reflecting the upper limit of~~As DED developed housing ~~units~~programs, it became clear that ~~may be assisted. The number of units assisted may differ from these figures based on total required investment per~~greatest unmet need is for additional affordable housing ~~unit. Accounting for volunteer efforts and estimated CDBG-DR activities,~~ available ~~resources~~in not in the floodplain for ~~housing program activities may ultimately exceed estimated unmet needs.~~ LMI persons in the MID areas. Table 2-9~~-~~

In 2022 and 2023, application rounds for funding opportunities were opened for LIHTC and HPP projects. The application totals as of APA3 are listed below in Table 2-9. Note that not all applications are awarded, and some projects not awarded in one round can re-apply and are successfully awarded in a later round.

Table 2-9: ~~CDBG-DR~~First Rounds of LIHTC and HPP Applications for Funding ~~to Address Remaining Unmet Needs~~[43]

		Total Estimated Impact in All Disaster-Impacted (IA) Areas		
Program	Application Round	Number of ~~*Housing Units*~~ Applications	~~Value/Investment ($)~~Total Dollar Amount Requested	
LIHTC QAP 2022	• ~~State MID Areas~~4% allocations/awards, April 2022 • 9% allocations/awards, June 2022	~~HUD MID Areas~~10	~~Total~~$20,000,000	
~~Total Remaining Unmet Need (See Table 2-~~	• ~~0~~4% allocations/awards, October 2022 • 9% allocations/awards, February 2023	~~252~~10	~~252~~$20,000,000	~~$25,160,270~~

[41] ~~Calculations completed using data for counties with IA declarations.~~
[42] Calculations completed using data for counties with IA declarations.
[43] ~~This Unmet Needs Assessment reflects the assessment made in the original April 2021 publication of this Action Plan. Where changes have been made in further Amendments, they have been noted. See Section 3: Method of Distribution and Section 5: Program Design for full details of current program details and budgets.~~

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~~6)~~LIHTC QAP 2023				
~~CDBG-DR Housing Programs (As proposed in Section 5)~~LIHTC QAP 2024	• ~~11~~9% allocations/awards, anticipated award September 2023	~~3498~~	~~360~~	$~~37~~16,000,000
HPP	• LOI, May 2023 • Application Closed, June 2023	10		$15,939,829
	Total	38		$71,939,829

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The three programs within the Affordable Housing Construction Program (Low-Income Housing Tax Credit, Housing Production Program and Small Rental) do not have set budgets within AHCP's budget. Instead, each round of applications awards those projects which meet the qualifications, and additional rounds are opened as budget allows. LIHTC is expected to do at least two more rounds of funding, HPP one round and Small Rental at least one round.

In the Initial Action Plan, DED contemplated a standalone program for non-construction housing activities. The primary purpose of the Homeowner Assistance Program (HAP) was to assist LMI households who lost their homes in the 2019 flooding and must find new housing. However, in the development of the program, coordination and outreach efforts indicate there is no interest in a funding resource for a standalone non-construction housing program. Rather, the feedback from the community was that there was a shortage of housing available that would meet the criteria for funding. HPP addresses the affordability gap with downpayment and closing cost assistance. More affordable housing is needed in order to meet the housing needs of LMI Nebraskans, and the programs within AHCP address that need.

Consultations were done with eligible entities in the HUD-identified MID area having the capacity to carry out the funding activities available under HAP. These would-be subrecipient agencies expressed no interest in applying citing several reasons including, but not limited to, the cost to meet the additional program requirements (e.g., the need to hire additional staff to coordinate and manage the program); lost production on current programs, including construction of new affordable housing, to meet the additional requirements of CDBG-DR funded non-construction housing activities: and general support for additional funding of additional housing units and home repair where they can serve more people. These agencies noted a decline in applications for similar down payment assistance (DPA) programing due to the lack of affordable homes on the market for low-to-moderate income (LMI) homebuyers and affordable rental units; for example,

estimates range from a housing shortage of 17,000 in the HUD-identified MID counties[44] ~~are short~~to more than ~~5~~140,000 homes across ~~the three (3) counties~~state[45][46]. The three "subprograms" within AHCP address the program activities and beneficiaries of HAP and more. Furthermore, as evidenced by outreach to organizations having the capacity to be a HAP subrecipient for these types of activities, there is a lack of interest by organizations for additional program funding through CDBG-DR.

In further support of this decision, DED's annual programs, including the Affordable Housing Trust Fund, have seen a decline in interest in funding these types of non-construction housing activities[47]. ~~-~~ and a recent statewide study found housing to be a critical area for investment. The study, conducted by the University of Nebraska-Omaha Center for Public Affairs Research (CPAR) as part of Nebraska's 2022 Strategic Housing Framework, stated that 71% of Nebraskans that moved within a county cited housing related concerns for moving, specifically "wanting new or better housing." Among those that left Nebraska altogether, 34% reported their move was tied to the lack of housing options, which has now surpassed job related reasons for moving. Furthermore, the 2022 Strategic Housing Framework prioritizes the investment towards development or rehabilitation of 35,000 affordable units available to LMI owners or renters by 2028.[48]

Therefore, considering the above reasoning, APA3 eliminated HAP, reallocating the planned $11,000,000 budget to AHCP. This decision reflects the feedback received by DED.

2.2.2.6 Serious Unmet Economic Revitalization Needs

To estimate serious unmet economic revitalization needs, HUD analyzes SBA disaster loan data to create five categories of damage based on the combined verified real estate and content losses

[44] Per conversation with Carol Bodeen, Director of Policy & Outreach for Nebraska Housing Developers Association (NHDA). In June 2023, NHDA, which runs a similar DPA program, saw a decrease in subscriptions to that program. Ms. Bodeen equated the downturn to the current economy – with sales prices high and low housing stock availability, there are not enough houses that are affordable to LMI buyers.

[46] National Low Income Housing Coalition. Housing Needs by State: Nebraska. Retrieved November 15, 2023. https://nlihc.org/housing-needs-by-state/nebraska.

[47] In May 2023, DR Housing Program Manager met with Lynn Kohout, DED's Director of Housing who oversees administration of annual housing funding opportunities, to discuss current trends in the context of other DED housing programs that provide DPA. Ms. Kohout noted: (1) a decrease in DPA application requests versus applications for new construction (for single- and multi-family) and (2) most DPA applications have been from non-profit housing developers. The latter characteristic would disqualify those entities from the HAP program, which doesn't allow for the sale of homes to LMI homebuyers that the applicant entity owns or finances.

[48] Ibid.

of the pool of applicants. Of the five categories HUD establishes, serious unmet needs include only Category 3 and above:

- Category 1: real estate + content loss = below $12,000
- Category 2: real estate + content loss = $12,000 - $29,999
- Category 3: real estate + content loss = $30,000 - $64,999
- Category 4: real estate + content loss = $65,000 - $149,000
- Category 5: real estate + content loss = $150,000 and above

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For properties with real estate and content loss of $30,000 or more (i.e., Category 3 and above), HUD calculates the estimated amount of unmet needs for small businesses by multiplying the median damage estimate by the number of small businesses denied an SBA loan. This amount includes those denied a loan prior to inspection due to inadequate credit or income (or where a decision had not been made), under the assumption that damage among those denied at pre-inspection have the same distribution of damage as those denied after inspection.

HUD's estimation of total unmet economic revitalization need equates to $4,549,631 (based on data from November 2019). While this approach yields an estimate that seems appropriate for the extent of damage reported by SBA, there is concern for the small businesses that did not apply and may still need financial assistance. Further, the UNA considers all categories of economic revitalization needs, not just those associated with Category 3 or higher (Table 2-10).

Table 2-10: Comparison of HUD versus UNA Calculated Economic Revitalization Unmet Needs (Initial Action Plan)

	HUD Serious Unmet Economic Recovery Need	UNA Calculated Economic Recovery Need	Difference (HUD vs. UNA Calculation)
Unmet Need	$4,549,631	$22,417,026	$17,867,395
Total Business Disaster Loans	39	1,398	1,359

2.2.2.7 Unmet Infrastructure Needs

Infrastructure unmet needs are calculated by estimating the required state and local contribution of the cost to repair or reconstruct damaged permanent infrastructure (FEMA PA Categories C-G). These needs, as estimated by HUD, are represented in Table 2-11~~Table 2-11~~.

Table 2-11: Details of HUD Infrastructure Unmet Needs Calculation

Category	Value
HUD Permanent Facilities (FEMA Cat C-G) Estimate	~~$313,905,205~~ $444,614,309.51
Federal Share	~~$235,428,904~~ $400,152,878.56
Local Share (Unmet Need)	~~$78,476,301~~ $44,461,430.95

~~These estimates were made in November 2019, based on the standard 75:25 cost-share, and do not account for any additional damage reported after that date, nor does HUD's calculation include~~

~~the cost of promoting resilience through FEMA HMGP (Table 2-22), underrepresenting the total infrastructure unmet needs (Table 2-12).~~

~~Table 2-12: Comparison of HUD versus UNA Calculated Infrastructure Unmet Needs~~

	~~HUD Permanent Facilities (FEMA Cat C-G) Estimate~~	~~UNA Calculated Infrastructure Need~~	~~Difference (HUD to UNA Calculation)~~
~~Unmet Need~~	~~$78,476,301~~	~~$196,163,422~~	~~$117,687,121~~

2.2.3 UNMET NEEDS ASSESSMENT SCOPE

The State of Nebraska's UNA informs how the State of Nebraska will utilize this allocation to address identified gaps. Table 2-12~~Table 2-13~~ shows the total proportion of unmet needs across housing, infrastructure, and economic revitalization.

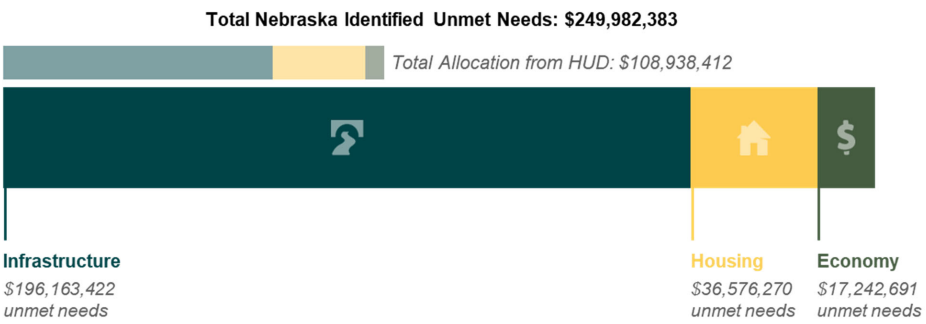
Table 2-12~~13~~12: Summary of Unmet Needs (Initial Action Plan)[49]

	Housing	Infrastructure	Economic Revitalization	Total
Unmet Needs	$36,576,270	$196,163,422	$17,242,691	$249,982,383
Percentage of Total Unmet Needs	14.6%	78.5%	6.9%	100%

The calculations in Figure 2-2~~Figure 2-2~~ further show that the serious unmet housing needs account for 14% ($36.5 million) of the State's total identified unmet needs; and unmet infrastructure needs account for roughly 78% ($196.2 million) of the State's total identified unmet needs.

[49] Housing data obtained from FEMA Database last updated 03/16/2020; infrastructure data obtained from NEMA PA projects data last updated 01/16/2020; economy data obtained from the Small Business Administration data last updated 03/10/2020.

Figure 2-2: Nebraska's Unmet Needs and HUD's CDBG-DR Allocation (Initial Action Plan)



~~The~~This data represents the State's estimated total unmet needs based on best data available during the initial development of this assessment. ~~These estimates represent a point-in-time analysis~~The UNA from the Initial Action Plan was used to build the major programs that this CDBG-DR grant will ~~continue to evolve and does not include unreported losses, which may be attributed to:~~

- ~~Impacted individuals not applying~~implement. Additional data, including demand for ~~assistance~~the programs as initially offered, is used to rebalance funds and add additional entities eligible to ~~repair their damaged homes;~~
- ~~Damage exacerbated before repairs could begin;~~
- ~~Economic impacts as a result of the disaster; and~~
- ~~Infrastructure repairs that~~implement programs. As programs are ~~necessary but deemed ineligible for federal assistance.[50]~~ implemented, the data may be updated to reflect actual damage figures to be subsequently reported.

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Throughout the State, recovery efforts have been taken and continue to be initiated for public and private housing and infrastructure facilities. Local jurisdictions reported having completed repairs on homes that were damaged or destroyed as well as repairing infrastructure facilities. Estimates of housing needs address through state and federal funds are outlined above in Table 2-8~~Table 2-8~~.

2.3 IMPACTED COUNTIES

FEMA and HUD designate certain eligible counties to receive financial assistance based on the damage caused by the disaster. The initial determination is made by FEMA, designating certain counties as eligible to receive assistance at a much broader level than HUD. HUD focuses on the

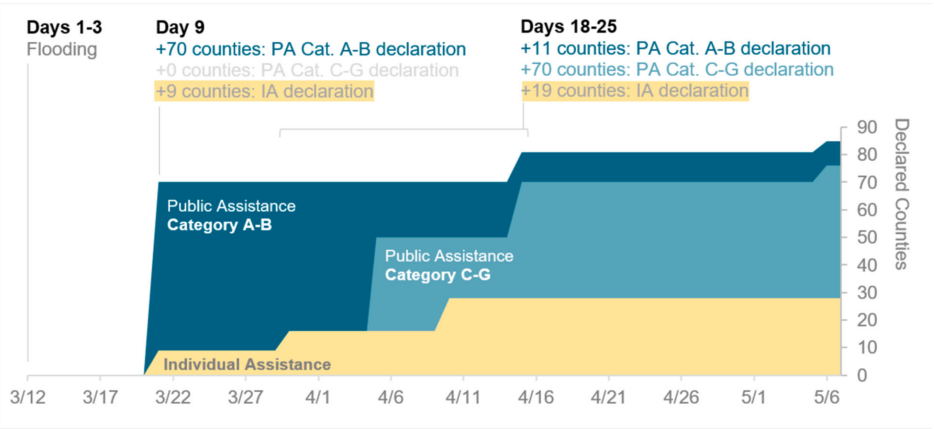
[50] ~~Note this list is not comprehensive of all potential sources of unreported loss.~~

areas determined to have sustained the most impact as a result of the disaster. To receive federal financial assistance, counties must first have a designation with FEMA.

2.3.1 ELIGIBLE COUNTIES

The disaster declaration for Winter Storm Ulmer through FEMA made available financial assistance to certain eligible counties determined to have sustained damage from the impact of the storm. The initial declaration designated nine counties eligible to receive assistance for individuals and 69 counties to receive financial assistance for emergency protective measures in the immediate aftermath of the disaster. Between March and July 2019, through a series of amendments after the original disaster declaration, the number of eligible counties expanded over time (Figure 2-3).

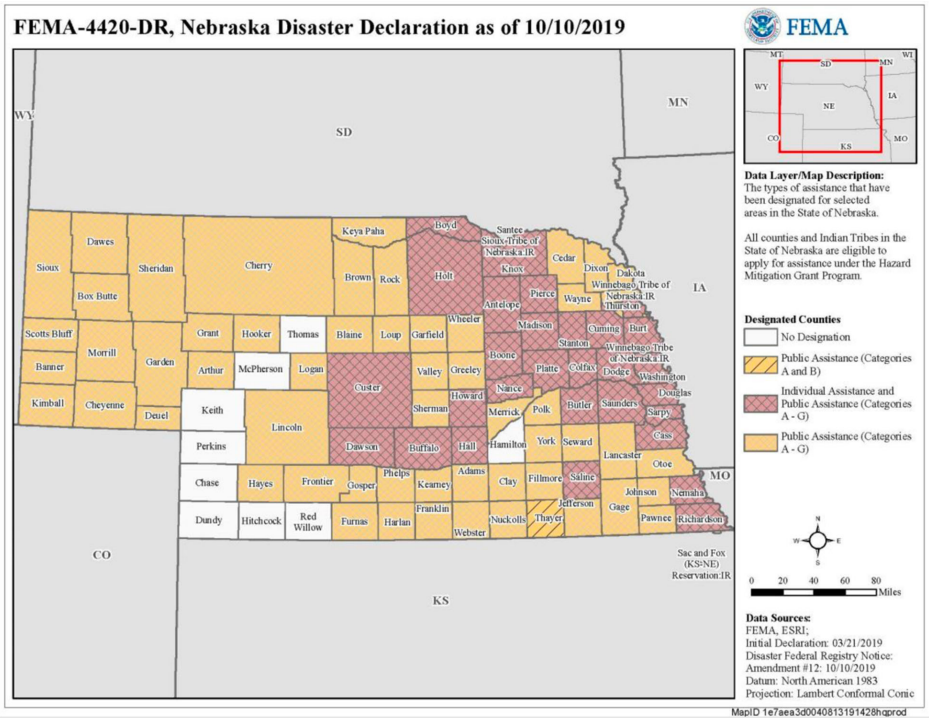
Figure 2-3: Timeline of DR-4420 Disaster Declaration[51]



As shown in Figure 2-4~~Figure 2-4~~, 84 of Nebraska's 93 counties[52] (90%) were ultimately covered by DR-4420, of which 29 counties (and one tribal area) were deemed eligible to receive IA funding.

[51] Reference to FEMA's Individual Assistance (IA) and Public Assistance (PA) programs. PA Categories A-B refer to emergency work while Categories C-G are permanent work.
[52] Does not include tribal areas that received a declaration.

Figure 2-4: Map of Federal Disaster Declaration for Nebraska[53]



Disaster declarations allow financial assistance to be made available to support the recovery efforts. The funding made available to designated counties is categorized in the following way (see Table 2-13~~Table 2-14~~):

- **FEMA Individual Assistance (IA):** Direct assistance provided to individuals and households through IHP. IHP provides financial assistance and direct services to eligible individuals and households who have uninsured and underinsured necessary expenses and serious needs. IHP is not a substitute for insurance and cannot cover all losses.[54]
- **FEMA Public Assistance (PA):** Assistance provided to state and territorial governments, local governments, Indian tribal governments and private non-profit organizations. PA is provided through two categories of activities:
    - Emergency Protective Measures for Debris Removal (Category A) and Emergency Protective Measures (Category B); and

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[53] FEMA, 2019. Nebraska Severe Winter Storm, Straight-line Winds, and Flooding (DR-4420). Retrieved at: https://www.fema.gov/disaster/4420.

[54] FEMA, 2019. *Individuals and Households Program*. Retrieved at: https://www.fema.gov/media-library-data/1571949706314-838a916aad698391afe34b45ac13100a/1_FACTSHEET_Individuals_and_Households_Program.pdf.

- Permanent Work for the Restoration of Roads and Bridges (Category C), Water Control Facilities (Category D), Buildings and Equipment (Category E), Utilities (Category F), and Parks, Recreational, and Other Facilities (Category G).[55]

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Table 2-131413: FEMA Disaster Declaration, by County[56]

County	IA	PA (A-B)	PA (C-G)	County	IA	PA (A-B)	PA (C-G)	County	IA	PA (A-B)	PA (C-G)
Antelope	✓	✓	✓	Adams		✓	✓	Johnson		✓	✓
Boone	✓	✓	✓	Arthur		✓	✓	Kearney		✓	✓
Boyd	✓	✓	✓	Banner		✓	✓	Lancaster		✓	✓
Buffalo	✓	✓	✓	Blaine		✓	✓	Lincoln		✓	✓
Burt	✓	✓	✓	Box Butte		✓	✓	Logan		✓	✓
Butler	✓	✓	✓	Brown		✓	✓	Loup		✓	✓
Cass	✓	✓	✓	Cedar		✓	✓	Merrick		✓	✓
Colfax	✓	✓	✓	Cherry		✓	✓	Morrill		✓	✓
Cuming	✓	✓	✓	Cheyenne		✓	✓	Nuckolls		✓	✓
Custer	✓	✓	✓	Clay		✓	✓	Omaha[57]		✓	✓
Dawson	✓	✓	✓	Dakota		✓	✓	Otoe		✓	✓
Dodge	✓	✓	✓	Dawes		✓	✓	Pawnee		✓	✓
Douglas	✓	✓	✓	Deuel		✓	✓	Phelps		✓	✓
Hall	✓	✓	✓	Dixon		✓	✓	Polk		✓	✓
Holt	✓	✓	✓	Fillmore		✓	✓	Rock		✓	✓
Howard	✓	✓	✓	Keya Paha		✓	✓	Sac and Fox[58]		✓	✓
Knox	✓	✓	✓	Kimball		✓	✓	Scotts Bluff		✓	✓
Madison	✓	✓	✓	Franklin		✓	✓	Seward		✓	✓
Nance	✓	✓	✓	Frontier		✓	✓	Sheridan		✓	✓
Nemaha	✓	✓	✓	Furnas		✓	✓	Sherman		✓	✓
Pierce	✓	✓	✓	Gage		✓	✓	Sioux		✓	✓
Platte	✓	✓	✓	Garden		✓	✓	Valley		✓	✓
Richardson	✓	✓	✓	Garfield		✓	✓	Wayne		✓	✓
Saline	✓	✓	✓	Gosper		✓	✓	Webster		✓	✓
Santee[59]	✓	✓	✓	Grant		✓	✓	Wheeler		✓	✓
Sarpy	✓	✓	✓	Greeley		✓	✓	Winnebago[60]		✓	✓

[55] FEMA, 2018. *Public Assistance Program and Policy Guide*. Retrieved at: https://www.fema.gov/media-library-data/1525468328389- 4a038bbef9081cd7dfe7538e7751aa9c/PAPPG_3.1_508_FINAL_5-4-2018.pdf.
[56] FEMA, 2019. Nebraska Severe Winter Storm, Straight-line Winds, And Flooding (DR-4420). Retrieved at: https://www.fema.gov/disaster/4420.
[57] Refers to Omaha Reservation.
[58] Refers to Sac and Fox Reservation.
[59] Refers to Santee Reservation.

[60] Refers to Winnebago Reservation.

County	IA	PA (A-B)	PA (C-G)	County	IA	PA (A-B)	PA (C-G)	County	IA	PA (A-B)	PA (C-G)
Saunders	✓	✓	✓	Harlan		✓	✓	York		✓	✓
Stanton	✓	✓	✓	Hayes		✓	✓	Thayer		✓	
Thurston	✓	✓	✓	Hooker		✓	✓				
Washington	✓	✓	✓	Jefferson		✓	✓				

2.3.2 AREAS DESIGNATED "MOST IMPACTED AND DISTRESSED"

HUD identified three areas in Nebraska as the MID:

- Sarpy County (entirety);
- Dodge County zip code 68025 (Fremont, Inglewood, and Woodcliff); and
- Douglas County zip code 68064 and 68069 (Valley and Leshara).

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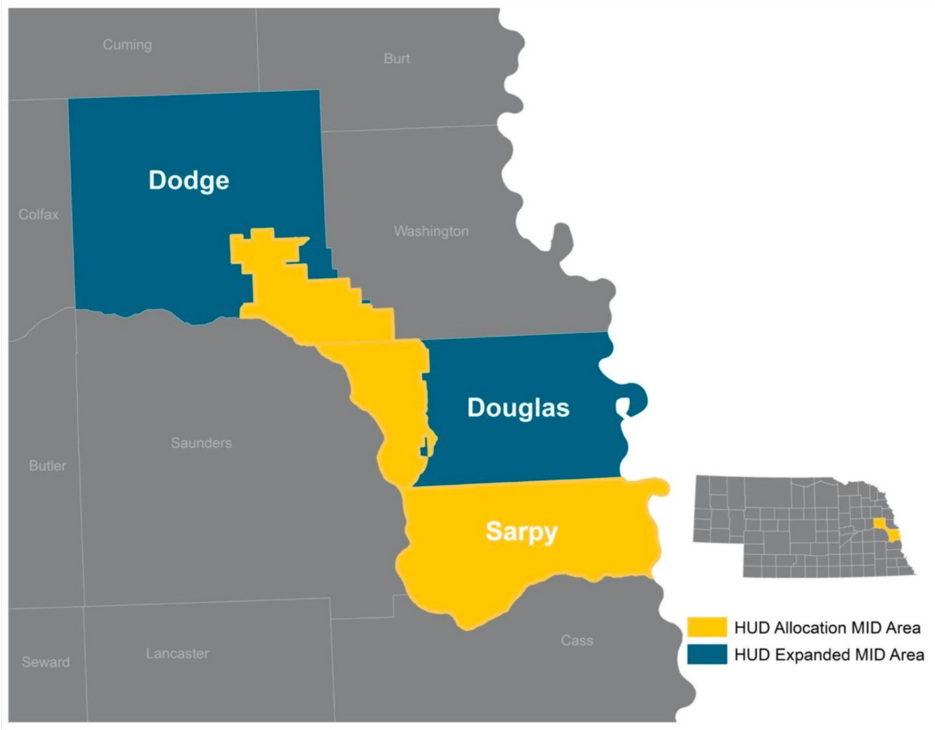
Sarpy County was designated in its entirety as HUD-defined MID, whereas Dodge and Douglas received designation for three zip codes. Based on authorization[61] from HUD, Nebraska will expand the HUD-defined MID areas to cover the entire counties of Dodge and Douglas (Figure 2-5~~Figure 2-5~~). This step enables the state to direct additional funding to those two counties where a portion (the three zip codes) were identified as being among the most impacted. Per HUD requirements, 80% of CDBG-DR funding is allocated to meet needs in the HUD-defined MID.

To meet the needs of other impacted counties outside of the HUD-defined MID, the State of Nebraska has allocated up to 20% of CDBG-DR funding to support recovery in the State-defined MID. The State-defined MID includes all counties that were included in the federal disaster declaration. The full list of counties included in the HUD-defined MID and the State-defined MID is outlined in Appendix B: Eligible Areas~~Eligible Areas~~.

[61] The January 27, 2020 Federal Register Notice, HUD states that if a zip code is identified as a MID designated area, the grantee may indicate in their action plan that it intends to expand the MID to cover the entire county.

Figure 2-5: HUD-Defined Most Impacted and Distressed Areas



2.4 COMMUNITY PROFILE

Understanding the community profile of the impacted areas will help guide the decision-making process to determine where to focus the use of funds. Evaluation of the environmental, housing, infrastructure, and community characteristics assist in determining what types of projects and programs should be prioritized. Measuring specific social vulnerabilities is a key aspect in determining the areas that will have the highest unmet needs, not only in actual disaster recovery losses, but also the ability to recover in a manner that will build resilience in a community and mitigate against future disasters. The ramifications of a disaster can go beyond just the physical damage and can impact the financial well-being of the residents for years following the disaster.

2.4.1 SOCIOECONOMIC STATUS

Table 2-14~~Table 2-15~~ shows the socioeconomic demographics of the FEMA designated counties that were eligible for both IA and PA. The table compares the socioeconomic demographics of the HUD and FEMA designated counties. Of Nebraska's total population, 96.6% reside in areas that were damaged by the disaster and were designated as areas eligible to receive FEMA IA or PA.[62]

Table 2-14~~15~~14: Nebraska Socioeconomic Demographics[63]

	HUD MID Designated Counties	State MID IA and PA Declared Counties	PA Only Declared Counties	Total-All Designated Counties[64]	State
Total Population	770,026	406,506	687,539	1,864,071	1,929,268
Percent of Total Population	39.9%	21.0%	35.6%	96.6%	-
Total Households	296,121	160,884	383,377	840,382	852,984
Percent of Total Households	34.7%	18.8%	44.9%	98.5%	-
SOCIOECONOMIC STATUS					
Below Poverty	9.0%	11.2%	12.6%	12.0%	12.0%
Unemployment Rate	3.7%	2.4%	2.6%	2.5%	2.5%
Median Household Income	$64,779	$55,299	$51,446	$53,114	$52,963
HOUSEHOLD COMPOSITION					
Minority Group	4.0%	3.0%	3.0%	2.7%	2.8%

[62] US Census Bureau. *2015-2018 American Community Survey 5-year Data Profile*. Retrieved at: https://data.census.gov/cedsci/
[63] Ibid.
[64] Percentages in this column reflect the percent of total state population.

	HUD MID Designated Counties	State MID IA and PA Declared Counties	PA Only Declared Counties	Total-All Designated Counties[64]	State
Non-Native English Speakers	11.7%	8.5%	5.0%	6.4%	6.3%
Age 65 and Over	14.7%	19.6%	22.8%	21.6%	21.7%
17 and Under	25.8%	24.7%	22.2%	23.1%	23.0%
Age 5 and Under	7.2%	6.7%	5.9%	6.2%	6.2%
Disability	7.6%	7.9%	8.4%	8.2%	8.1%

Analyzing the age dependent (under 5 and over 65), disabled, minority groups, and poverty levels, demonstrates the need for additional community outreach in the areas where these populations are prevalent.

2.4.2 IMPACT ON LOW- AND MODERATE-INCOME HOUSEHOLDS

A core principle of the CDBG program is the "development of viable urban communities, by providing decent housing, a suitable living environment and expanding economic opportunities, principally for persons of [LMI]."[65] To meet this core principle, the CDBG authorizing statute requires that no less than 70% of the aggregate of CDBG program funds be expended for activities benefitting LMI persons and this requirement is also applicable to CDBG-DR funds.

For purposes of the CDBG program, low- and moderate-income is defined as total household income at or below 80% of Area Median Income (AMI) as defined by HUD. AMI is calculated yearly at the state level with each county and for certain metropolitan areas having defined income limits. Table 2-15~~Table 2-16~~ below shows the most recent AMI for the Extremely Low-Income Limit (ELIL, 30%), Very Low-Income Limit (VLIL, 50%) and Low-Income Limit (LIL, 80%) reported for HUD-defined MID counties, Dodge, Douglas, and Sarpy, though DED will use the most recently published income limits at the time of assistance, which are updated by HUD on an annual basis.

Table 2-15~~16~~15: State of Nebraska Income Limits[66]

DODGE COUNTY								
FY 2020 Income Category	Income Limit by # Persons in the Household							
	1	2	3	4	5	6	7	8
30% Limits	$15,050	$17,200	$19,350	$21,500	$23,250	$24,950	$26,700	$28,400
50% Limits	$25,100	$28,650	$32,250	$35,800	$38,700	$41,550	$44,400	$47,300

[65] Per 42 USC. 5301(c).
[66] HUD Exchange, 2020. "2020 Adjusted HOME Income Limits". Retrieved at: https://www.huduser.gov/portal/datasets/home-datasets/files/HOME_IncomeLmts_State_NE_2020.pdf.

60% Limits	$30,120	$34,380	$38,700	$42,960	$46,440	$49,860	$53,280	$56,760
80% Limits	$40,150	$45,850	$51,600	$57,300	$61,900	$66,500	$71,100	$75,650

OMAHA-COUNCIL BLUFFS, NE-IA HUD METRO FMR AREA*								
FY 2020 Income Category	Income Limit by # Persons in the Household							
	1	2	3	4	5	6	7	8
30% Limits	$18,300	$20,900	$23,500	$26,100	$28,200	$30,300	$32,400	$34,500
50% Limits	$30,450	$34,800	$39,150	$43,500	$47,000	$50,500	$53,950	$57,450
60% Limits	$36,540	$41,760	$46,980	$52,200	$56,400	$60,600	$64,740	$68,940
80% Limits	$48,750	$55,700	$62,650	$69,600	$75,200	$80,750	$86,350	$91,900

*HUD uses custom geographic definitions for the Omaha-Council Bluffs, NE-IA HUD Metro FMR Area. It includes the following counties: Harrison County, IA; Mills County, IA; Pottawattamie County, IA; Cass County, NE; Douglas County, NE; Sarpy County, NE; and Washington County, NE.

HUD provides grantees[67] with LMI data to justify area basis benefit activities that is accessible via HUD's website.[68] Grantees, such as the State of Nebraska, and their subrecipients must maintain documentation verifying the LMI benefit for each beneficiary of the grant funding. Figure 2-6~~Figure 2-6~~, Figure 2-7~~Figure 2-7~~, and Figure 2-8~~Figure 2-8~~ highlight the percentage of the total population that is LMI by census tract in the HUD-defined MID designated counties. This map provides a visual representation of the geographic distribution of income in the HUD-defined MID. In the counties designated to receive FEMA IA assistance, 40.2% of individuals have an income less than 80% of the AMI (Table 2-15~~Table 2-16~~).

2.4.3 MARKET RATE HOUSING

Housing market figures in HUD-defined MID areas are indicative of steady population growth. The 2019 Comprehensive Housing Market Analysis of the Omaha-Council Bluffs Housing Market Area[69] characterized the sales housing market as being tight, with a vacancy rate of 1.0%; the rental housing market as being balanced at a 6.7% vacancy rate; and the apartment market as being tight, at a 4.0% vacancy rate.[70] The Dodge County-Wide Housing Study projects a tight housing market in Dodge County due to a likely increase in population by 4.8 percent by 2022.[71]

[67] Low- and moderate-income benefit can be demonstrated in four ways: area basis, limited clientele, housing, and creation/retention of jobs. The "area basis" approach is based on HUD-supplied income data from the US Census, while the "limited clientele" approach makes an assumption based on income characteristics of a specific group being assisted. Demonstrating low- and moderate-income benefit through housing and jobs is focused on the income of the individual or household receiving the direct benefit of the activity.

[68] HUD Exchange, n.d. *CDBG Low- and Moderate-Income Data.* Retrieved at: https://www.hudexchange.info/programs/cdbg/cdbg-low-moderate-income-data/.

[69] The Omaha-Council Bluffs Housing Market Area includes MID areas Douglas and Sarpy Counties, as well as Saunders, and Washington Counties in Nebraska. The Housing Market Area includes parts of Iowa as well, including Harrison, Mills, and Pottawattamie Counties.

[70] HUD Office of Policy Development and Research, 2019. *Comprehensive Housing Market Analysis: Omaha-Council Bluffs, Nebraska-Iowa.* Retrieved at https://www.huduser.gov/portal/publications/pdf/OmahaNE-CouncilBluffsIA-CHMA-19.pdf.

[71] Nebraska Investment Finance Authority – Housing Study Grant Program, 2017. Dodge County & Communities, Nebraska: County-Wide Housing Strategy for Affordable Housing- 2022. Retrieved at https://www.fremontne.gov/DocumentCenter/View/4738/DODGE-

The 2019 floods did not have an observable impact on these vacancy rates in the HUD-defined MID area.

2.4.4 REVIEW OF PUBLIC SERVICE NEEDS

Impacted areas were predominantly rural with low population densities and as a result, there was limited need after the disaster for public services to address post-disaster needs. Existing resources filled potential needs in the 12 months after the disaster event and the COVID-19 pandemic make isolating any remaining needs nearly impossible. Long-term recovery groups across the impacted area report ongoing disaster case management including 12 full-time case managers and 3 part-time case managers. Of these, 6 case managers are dedicated resources for HUD-defined MID areas. The long-term recovery groups report that the majority of these efforts are focused on housing rehabilitation and reconstruction, with related needs as reported in Table 2-8~~Table 2-8~~.

For vulnerable populations that require additional services and special accommodations to ensure they can apply for and receive disaster recovery aid, the Homeowner Assistance Program allows for housing counseling as an eligible activity. No additional public services are anticipated more than 18 months post-event.

COUNTY--COMMUNITIES-NEBRASKA-COUNTY-WIDE-HOUSING-STUDY-WITH-STRATEGIES-FOR-AFFORDABLE-HOUSING-2022?bidId=.

Figure 2-6: Percentage LMI Populations in Douglas County

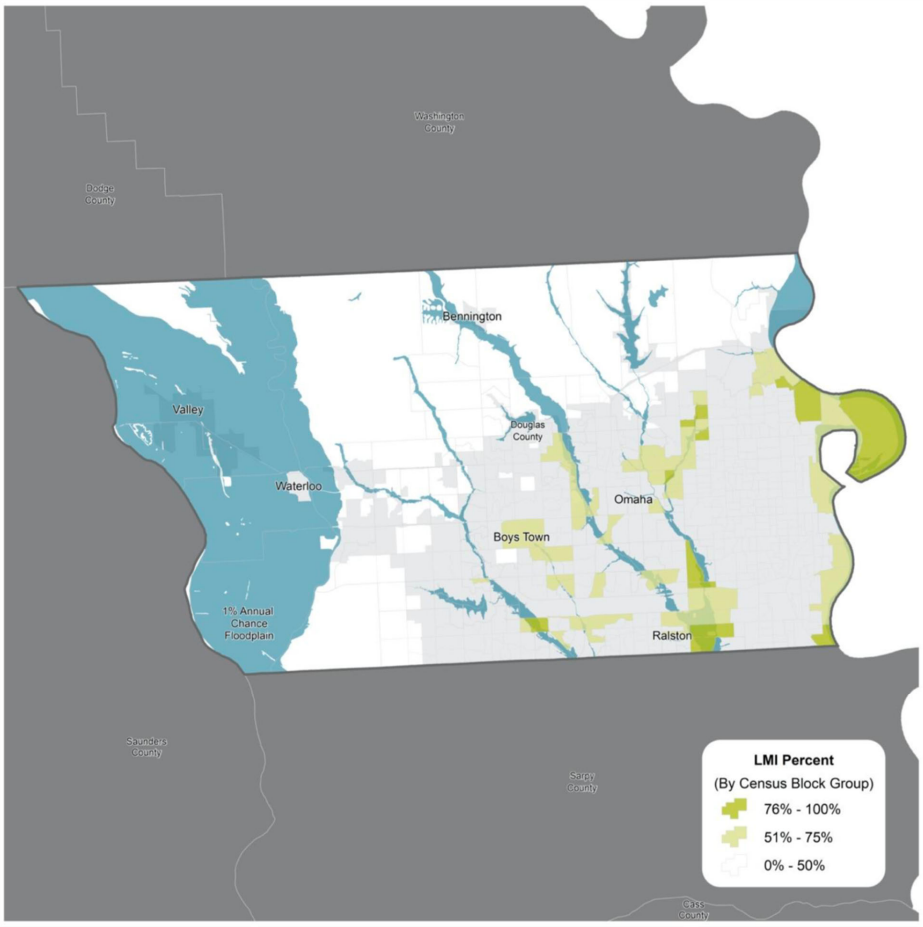


Figure 2-7: Percentage LMI Populations in Dodge County

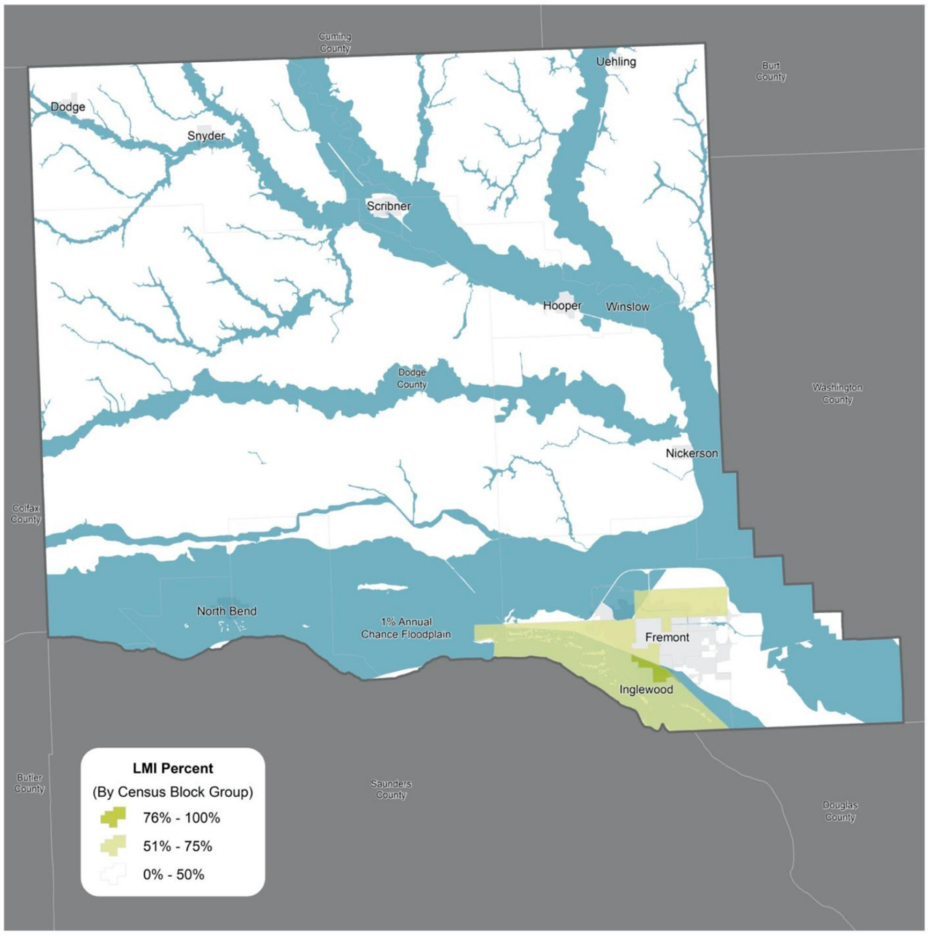
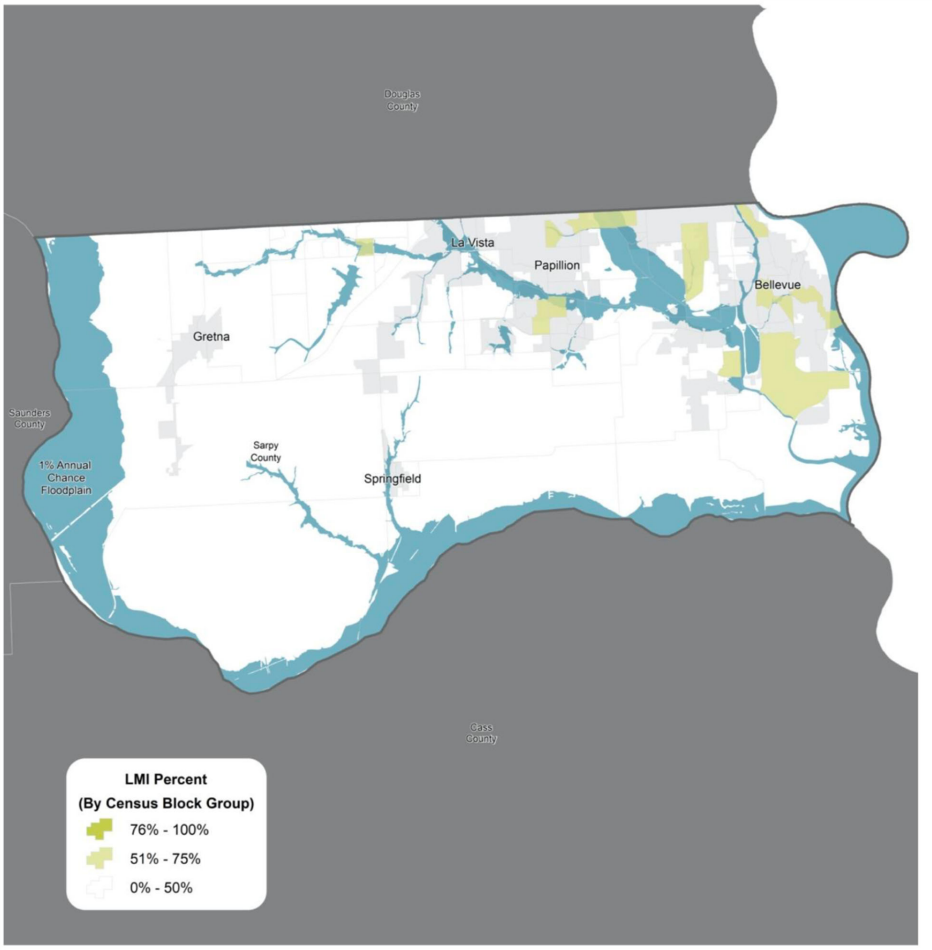


Figure 2-8: Percentage LMI Populations in Sarpy County



2.5 OVERVIEW OF IMPACTS TO CORE SECTORS

Three core sectors define disaster recovery: infrastructure, housing, and economic revitalization. To understand the need, each sector is summarized, including defining aspects and pivotal areas to be addressed for a successful recovery effort. The sectors are each allotted a certain percentage of funding that may be spent on projects in their respective sector. HUD may grant a waiver to shift funding allocations to other sectors depending on the needs in each community. If a community can demonstrate that their housing needs have been addressed, the grantee may request that the allocation be shifted to allow for additional infrastructure or economic recovery funding.

2.5.1 IMPACT ON INFRASTRUCTURE

Winter Storm Ulmer and the subsequent flooding caused severe damage to the State of Nebraska's infrastructure facilities, creating cascading impacts across many sectors. Infrastructure damage was widespread, with 84 out of 93 counties impacted, reporting damage to roads, bridges, levees, dams, and many other critical infrastructure facilities.[72]

The estimated cost to repair infrastructure facilities is currently valued at more than $640 million,[73] but the number is thought to be significantly higher, as data on flood control works is not currently available. FEMA defines flood control works as structures, such as levees, flood walls, flood control channels, and water control, that are designed and constructed to have an appreciable effect in preventing damage due to an irregular and unusual rise in water levels.[74] State and local governments moved quickly after the disasters to repair roads and other public infrastructure; however, rebuilding and mitigating for future events is an ongoing effort. Infrastructure remains a critical component in unmet needs and, due to a lack of centralized data and data that may not exist, the full extent of the damage to these systems is still unknown.

Figure 2-9: Flooded Railway Bridge

In addition, several fire stations were damaged during Winter Storm Ulmer, most notably the Fremont Rural Fire Station and the North Bend Fire District. North Bend reported

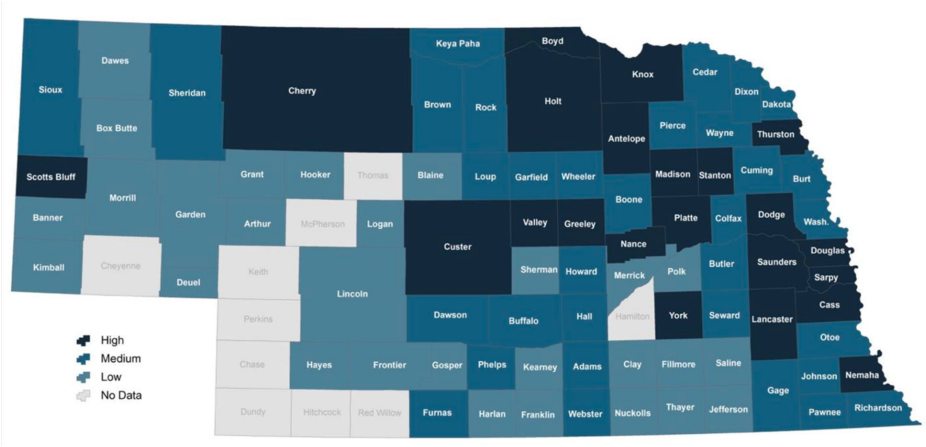
[72] FEMA, 2019. Nebraska Severe Winter Storm, Straight-line Winds, And Flooding (DR-4420). Retrieved at: https://www.fema.gov/disaster/4420.
[73] $640 million is the sum of estimated damage presented in Table 2-7.
[74] FEMA Fact Sheet: Public Assistance. Retrieved at: https://www.fema.gov/media-library-data/1579196182575-ca576e176a344d81c01557191d2337ac/PA_Fact_Sheet_Flood_Control_Works_2017_508.pdf.

spending $30,000 on repairs, although estimated mitigation measures are between $3 and $4 million.

While an actual figure is not known for how much the wide-ranging damages to infrastructure resulted in subsequent damage to housing and businesses, anecdotally from the widely reported and numerous personal accounts of individuals and businesses affected, it is broadly acknowledged that infrastructure is, in large part, the backbone of community and commerce, and the tangible systems connecting housing to businesses and both to their larger communities.

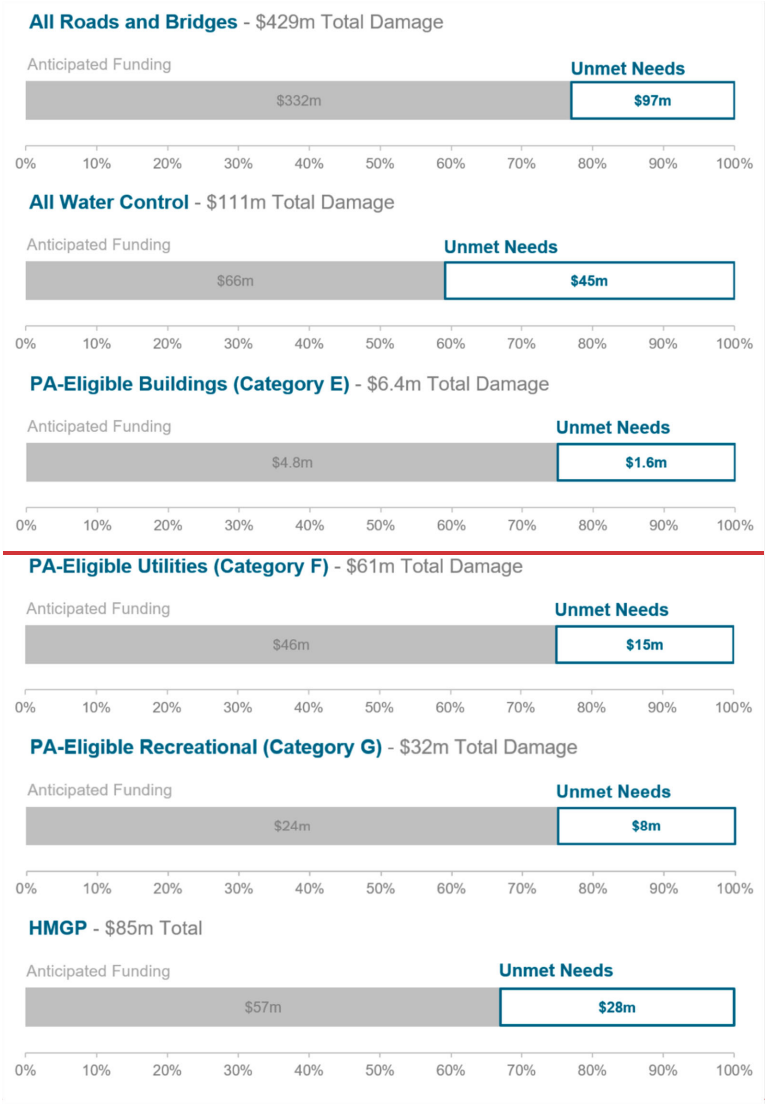
Figure 2-10~~Figure 2-10~~ shows the widespread damage to infrastructure across the state and the concentration of PA-eligible projects in each county using best available data.

Figure 2-10: Total Number of PA-Eligible Projects per County[75]



[75] More information about this analysis can be found in Appendix C. For this map, high represents 24–111 projects, medium represents 5–24 projects, and low represents 1–5 projects.

Figure 2-11: Infrastructure Costs by Category[76]



[76] This figure represents April 2021 (at 75% FEMA reimbursement rate) repair estimates, which are subject to change. Additionally, (1) roads and bridges unmet needs include funding from FEMA and the Federal Highway Administration; and (2) water control

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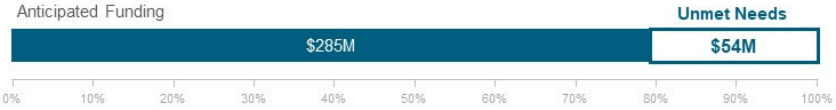
unmet needs include funding from FEMA, Natural Resources Conservation Service, and US Army Corps of Engineers. See Section 2.4.1.1 and Section 2.4.1.2.

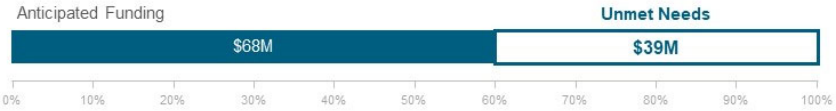
$339M
Total Funding

PA-Eligible Roads and Bridges (Category C) plus Federal-Aid Roads



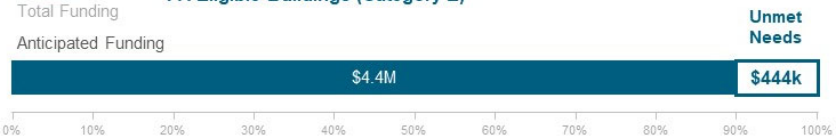
$107M
Total Funding

PA-Eligible Water Control Facilities (Category D) plus Other Federal programs



$4.8M
Total Funding

PA-Eligible Buildings (Category E)



$262M
Total Funding

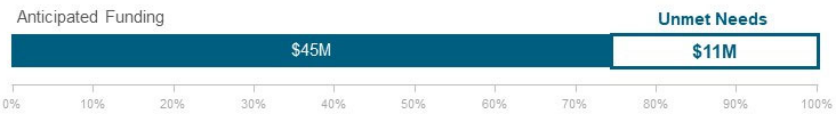
PA-Eligible Utilities (Category F)

$31M
Total Funding

PA-Eligible Recreational (Category G)

$57M
Total Funding

HMGP



2.5.1.1 Roads and Bridges

The 2019 disasters devastated roads and bridges throughout the State of Nebraska. ~~Currently, the~~, The estimated value of damage to roads and bridges is $~~429~~339 million (Table 2-16~~Table 2-17~~). Local, state, and federal roads and bridges were all impacted with closures of 3,300 state highway miles and 27 state highway bridges, approximately one-third of the state highway miles in Nebraska.[77] Local governments reported damage to streets and culverts remain in varying states of repair. In the aftermath of the disaster, the Nebraska Department of Transportation and local governments moved quickly to provide emergency and temporary repairs to enable roads to reopen. However, over a year after the flooding began, work still remains to fully restore roads throughout the state.

Table 2-16~~17~~16: Damage to Roads and Bridges[78]

Funding Source	Damage	Anticipated Funding	Unmet Needs
Federal-Aid Roads	$201,000,000	$160,800,000	$40,200,000
PA-Eligible Roads (Category C)	~~$227,824,784~~$138,237,262.17	~~$170,868,588~~$124,413,535.95	~~$56,956,196~~$13,823,726.22
All Roads and Bridges	**~~$428,824,784~~$339,237,262.17**	**~~$331,668,588~~$285,213,535.95**	**~~$97,156,196~~$54,023,726.22**

Due to closures on many of the roadways, other local roads that were not rated for heavy-use were more heavily used, causing additional wear and tear. These indirect impacts on local roads and privately-owned roads made recovery efforts even more difficult. The local roads are used for personal travel for Nebraska's individuals and families and for the transportation of agricultural equipment, livestock, feed, and milk trucks, making these roads critical to the state economy. These indirect impacts may not be covered by federal disaster recovery assistance, with responsibility potentially falling on the local and state governments.

[77] Nebraska Department of Transportation, 2019. "About Us." Retrieved at: https://dot.nebraska.gov/about/.
[78] This table represents ~~current~~ Federal-Aid Road repair estimates~~, which are subject to change~~ from the Initial Action Plan, and PA Category C project amounts current as of mid-2023.

Figure 2-12: Washed-Out Road Under Repair

2.5.1.2 Water Control and Wastewater Treatment Facilities

Water control facilities are those built for channel alignment, recreation, navigation, land reclamation, maintenance of fish and wildlife habitat, interior drainage, irrigation, and erosion prevention.[79] Damage to the State of Nebraska's water control facilities was extensive, ~~currently~~ estimated at $~~111~~107 million (Table 2-17~~Table 2-18~~). Dams, levees, and other drainage facilities were breached, overtopped, or otherwise compromised. The full extent of damage to water control facilities is not yet known due to a lack of information and data from privately owned facilities.

Table 2-17~~1817~~: Damage to Water Control and Treatment Facilities[80]

Funding Source	Damage	Anticipated Funding	Unmet Need
PA-Eligible Levees (Category D)	~~$38,147,327~~$34,434,815.87	~~$34,332,594~~$30,991,334.28	$3,~~814,733~~443,481.59
Natural Resources Conservation Service (NRCS) Emergency Watershed Protection	$40,000,000	$4,100,000	$35,900,000

[79] Public Assistance Handbook, FEMA. Retrieved at: https://www.fema.gov/pdf/government/grant/pa/fema323_app_handbk.pdf.
[80] This table represents ~~current~~ repair estimates for NRCS EWPP and USACE RIP at the time of the Initial Action Plan, ~~which are subject to change~~, and PA Category D project amounts current as of mid-2023.

Funding Source	Damage	Anticipated Funding	Unmet Need
Program (EWPP)			
United States Army Corps of Engineers (USACE) Rehabilitation and Inspection Program (RIP)	$32,963,283	$32,963,283	N/A
All Water Control	~~$111,110,610~~$107,398,098.87	~~$71,395,877~~$68,054,617.28	**$39,**~~714,733~~434,481.59

The largest impact of Winter Storm Ulmer on dams in Nebraska was the failure and collapse of the Spencer Dam. The Spencer Dam, which failed on March 14, 2019, is a hydroelectric dam[81] located on the Niobrara River and owned by the Nebraska Public Power District. Large chunks of ice (measuring 18 to 24 inches thick) carried by flood waters contributed to the dam failure—the first time such a cause has been cited.[82] The dam failure immediately destroyed a saloon, a cattle herd, a portion of US Highway 281, and is thought to have caused at least one death.[83] This failure demonstrates the need for additional mitigation and resilience measures to be taken when completing recovery repairs on infrastructure.

Dodge County relies on a network of flood control infrastructure that includes 85 miles of drainage ditches, 32.71 miles of public levees, and private levees/berms. Private levees/berms, unable to qualify for public dollars (e.g., FEMA or USACE), have been left unrepaired or have been addressed through ad hoc repairs. Dodge County has identified $584,000 to repair privately owned dikes throughout the county, which at the time of this report, do not have a funding source to assist with the expense. The City of North Bend has identified $600,000 to repair the dike on the north side of the Platte River that sustained substantial damage and 605 water meters were reportedly destroyed. Privately-owned stormwater infrastructure was impacted in addition to the public infrastructure, but the damage and repairs costs are only available anecdotally.

2.5.1.3 Utility Systems

Winter Storm Ulmer resulted in significant disruptions to electrical services throughout the impacted areas. Power, water, and sewer services throughout the State of Nebraska reported damage and the current total estimated cost for utility repair projects is $~~61~~239 million (Table 2-18~~Table 2-19~~), based on FEMA PA data.[84] The flood waters caused damage to individual

[81] Structure placed across a flowing river that converts the kinetic energy of the water into electricity by spinning turbines.
[82] Hammel, 2019. *Spencer Dam collapse may be first in nation caused by giant ice chunks, inspector says.* Omaha World Herald. Retrieved at: https://www.omaha.com/news/state_and_regional/spencer-dam-collapse-may-be-first-in-nation-caused-by/article_e0af7571-9264-5691-bd5c-344f4e940e85.html.
[83] Salter, 2019. *11-foot wall of water: One dam breaks, three counties suffer.* Lincoln Journal Star. Retrieved at: https://journalstar.com/news/state-and-regional/nebraska/foot-wall-of-water-one-dam-breaks-three-counties-suffer/article_eaf487d7-acc0-53a8-8786-9eccb43942ed.html.
[84] Data obtained from NEMA and current as of ~~January 17, 2020~~mid-2023.

electrical meters and hydroelectric dams, ranging from limited to extensive damage. Due to the nature of the storm and its lingering effects, the continued flooding made it difficult to determine the exact extent of the damage to these facilities. Furthermore, road and bridge closures also hindered the state's ability to make expedient repairs.

Table 2-~~18~~19~~18~~: Damage to Utility Systems[85]

Funding Source	Damage	Anticipated Funding	Unmet Need
PA-Eligible Utilities (Category F)	~~$61,348,430~~$238,791,919.51	~~$55,213,587~~$214,912,727.56	~~$6,134,843~~$23,879,191.95

The Omaha Public Power District (OPPD) lost two substations and two transmission lines. These facilities provide electricity to a portion of Bellevue, and South Omaha. The two substations and transmission lines were fully operational prior to the flood but were inundated with water and destroyed. The two transmission lines were in standing water and had to be removed from service for public safety. The cost to rebuild the substations is approximately $4 million. OPPD has expressed the need to replace the service provided by the substations and transmission lines. However, due to the locations being in a floodplain, rebuilding outside of their current location will be required for mitigation purposes. This need to rebuild outside the floodplain has resulted in a higher estimated cost to rebuild such that the proposed Bellevue Redesign is approximately $25 million.

Immediately after the disaster, publicly owned water treatment systems and privately-owned wells were at risk of becoming contaminated due to the floodwaters. The Nebraska Department of Health and Human Services determined the disasters impacted 51 public water systems (3.8%) in the state, and 22 of these water systems were forced offline. Portions of Boyd County had no running drinking water for six months after the Spencer Dam collapsed and destroyed the Rural Water District pipeline.[86] Damage to privately owned wells remains largely unknown because the state does not monitor these; however, as a result of this missing data, there was a marked concern with contaminated drinking water. The damage to these wells may not be known for some time.

Wastewater treatment services are publicly owned and treat both domestic and industrial sewage. The State of Nebraska reported that 81 wastewater treatment facilities were damaged from the 2019 disasters.[87]

[85] This table represents ~~current repair estimates~~project values as of mid-2023, which are subject to change.
[86] NET News, 2019. "Boyd County Drinking Water Restored After Six Months." Retrieved at: http://netnebraska.org/article/news/1191729/boyd-county-drinking-water-restored-after-six-months
[87] Nebraska Department of Environment and Energy, 2020. "Storm Recovery and Flooding in Nebraska: Environmental Guidance." Retrieved at: http://deq.ne.gov/NDEQProg.nsf/OnWeb/Disaster

2.5.1.4 Parks, Recreational, and Other Facilities

In total, 33 counties applied for FEMA PA to fund the restoration of municipal parks, sports facilities, trail facilities, natural resource protection, and marina facilities. The Village of Inglewood has identified, among many items, the need for parks-related repairs estimated at $50,000 for leveling, reseeding, and shelter stabilization. This may not account for all the damage incurred to these facilities as only about one-third of the PA-eligible counties reported damage in this category. Moreover, it is possible that the impacts caused damage to recreational facilities that are ineligible for FEMA assistance. In Sarpy County, the Fontanelle Forest Flood Recovery Project has identified damaged or washed away boardwalks, docks, and bridges that once provided access to wetland areas in the Great Marsh. The estimated cost to repair is at $318,450 with FEMA covering $175,000 and a local foundation providing $30,000. Table 2-19

~~Table 2-20~~ summarizes unmet needs specific to parks, recreational, and other facilities.

Table 2-~~19~~2019~~19~~: Damage to Parks, Recreational, and Other Facilities[88]

Funding Source	Damage	Anticipated Funding	Unmet Need
PA-Eligible Buildings (Category E)	$~~6,451,172~~4,444,193.62	$~~5,806,055~~3,999,481.59	$~~645,117~~444,419.36
PA-Eligible Recreational (Category G)	~~$32,328,977~~$28.706.118.34	~~$29,096,079~~$25,835,506.51	$~~3,232,898~~2,870,611.83
All Buildings and Recreational Facilities	~~$38,780,149~~$33,150,311.95	~~$34,902,134~~$29,835,280.16	$3,~~878,015~~315,031.20

2.5.1.5 Infrastructure Damage in the Most Impacted and Distressed Areas

The county and three zip codes that HUD designated as MID (Sarpy County, Dodge – 68025, and Douglas – 68069, 68064) experienced a disproportionate amount of damage from the 2019 disasters. This is clearly demonstrated in the FEMA PA data from the disaster, as HUD-defined MID counties account for 23% of total PA costs despite only representing three percent of all counties eligible for PA funding. Accordingly, it is helpful to compare the cost of infrastructure damage per capita within and outside of the HUD-defined MID across FEMA PA categories of work (Table 2-20~~Table 2-21~~).

[88] This table represents current repair estimates, which are subject to change.

Table 2-~~20~~21~~20~~: PA Cost per Capita in MID Counties (Initial Action Plan)[89, 90]

	Dodge	Douglas	Sarpy	State MID Counties
Population	36,683	554,992	178,351	1,094,045
Cat. A – Debris Removal	$59.40	$13.77	$20.03	$8.95
Cat. B – Emergency Measures	$112.95	$13.75	$3.53	$17.61
Cat. C – Roads and Bridges	$528.43	$9.87	$10.42	$158.08
Cat. D – Water Control Facilities	$27.39	$3.16	$2.64	$29.86
Cat. E – Buildings and Equipment	$14.93	$2.65	$31.62	$5.18
Cat. F – Utilities	$27.98	$28.16	$8.45	$49.91
Cat. G – Parks, Rec. Facilities, and Other Items	$25.87	$13.79	$24.50	$17.14
Total	**$796.96**	**$85.15**	**$101.19**	**$286.73**

2.5.1.6 Promoting Resilience

CDBG-DR funding will be integral to rebuilding structures to meet code and be resilient in the face of future disasters. HMGP plays a critical role in long-term resilience improvements for infrastructure in the impacted areas, as these funds can be used for mitigation and planning activities. HMGP is generally allocated based on 15% of the total PA funds provided by FEMA, in addition to the FEMA IA funds made available. Despite the size of the total award, jurisdictions that receive HMGP awards are expected to contribute a portion of funding to the eligible project or activity, likely yielding unmet needs for resilience improvements.

CDBG-DR funds may be used as a non-federal share match in specific instances where a particular project can meet CDBG-DR requirements. These funds can also be used to address mitigation measures for housing and infrastructure where it is not reasonable to build back to pre-disaster status due to the damage of the structures. The Infrastructure Match Program will support projects that promote resilience by assisting jurisdictions in meeting the HMGP match requirement. Integral to the CDBG-DR program is rebuilding structures to meet code and be resilient in the face of another disaster.

Table 2-~~21~~22~~21~~: Infrastructure Resilience Unmet Needs

Funding Source	Damage	Anticipated Funding	Unmet Need
HMGP	$~~84,775,971~~ 57,327,828	$~~56,872,028~~ 45,862,262	$~~27,903,943~~ 11,465,566

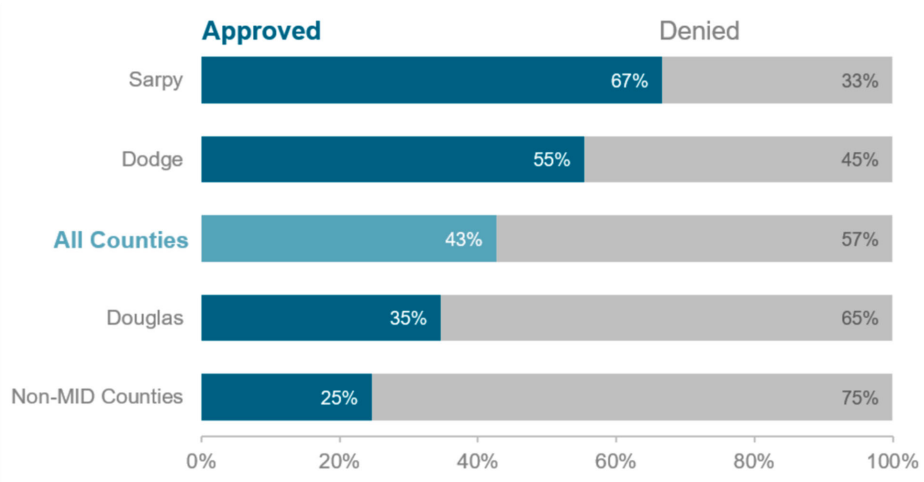
2.5.2 IMPACT ON HOUSING

[89] FEMA database last updated 03/16/2020
[90] US Census Bureau. *2015-2018 American Community Survey 5-year Data Profile*. Retrieved at: https://data.census.gov/cedsci/

Evaluating the FEMA applications for housing assistance will demonstrate the impact on housing throughout the State of Nebraska, highlighting the housing unmet needs resulting from the 2019 disasters. While the HUD-defined MID areas demonstrate the areas with the highest unmet needs, these areas may not represent the LMI areas of highest unmet needs. HUD's unmet needs calculation does not consider the LMI population, which may inadvertently misrepresent the highest need areas in terms of vulnerable populations and the directive to address LMI persons with CDBG-DR funds.

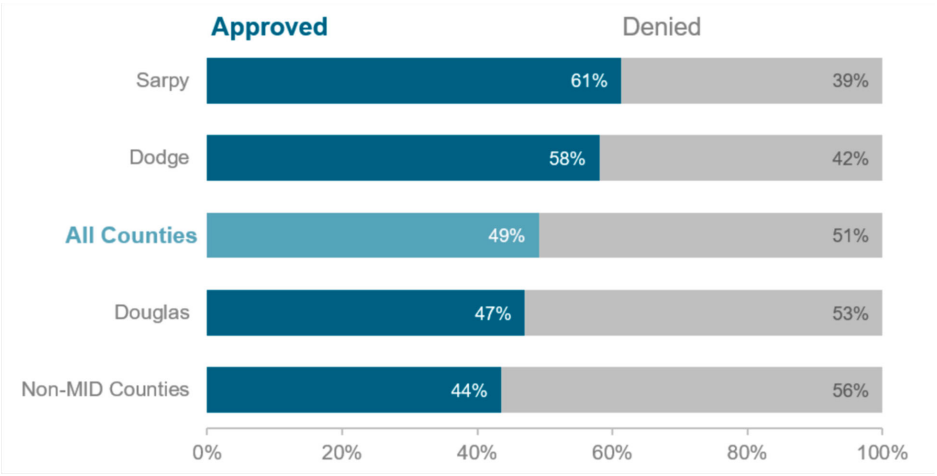
Following the disaster declaration, individuals applied for assistance through FEMA and SBA for home repairs, rental assistance, and other needs assistance. Figure 2-13 shows the total FEMA renter applications and Figure 2-14 shows FEMA owner-occupied applications submitted in all counties eligible for FEMA IA assistance, total approved applications, and percentage of approved applications. The total number of applicants in the HUD-defined MID areas (Sarpy, Dodge, and Douglas) represent 46.6% of the total applications submitted to FEMA and 57.4% of all approvals for individual assistance. Looking at the MID designated areas, including the entire county of Dodge and Douglas, these areas have a substantially higher rate of applications submitted and applications approved for both owner-occupied and renter-occupied applications.

Figure 2-13: FEMA Individual Assistance Renter Applications (Initial Action Plan)[91]



[91] FEMA Individual Assistance Database. Last updated: 03/16/2020.

Figure 2-14: FEMA Individual Assistance Owner-Occupied Applications (Initial Action Plan)[92]



[92] Ibid.

Figure 2-15: Total Individual Assistance Claims by Census Block Group for Douglas County

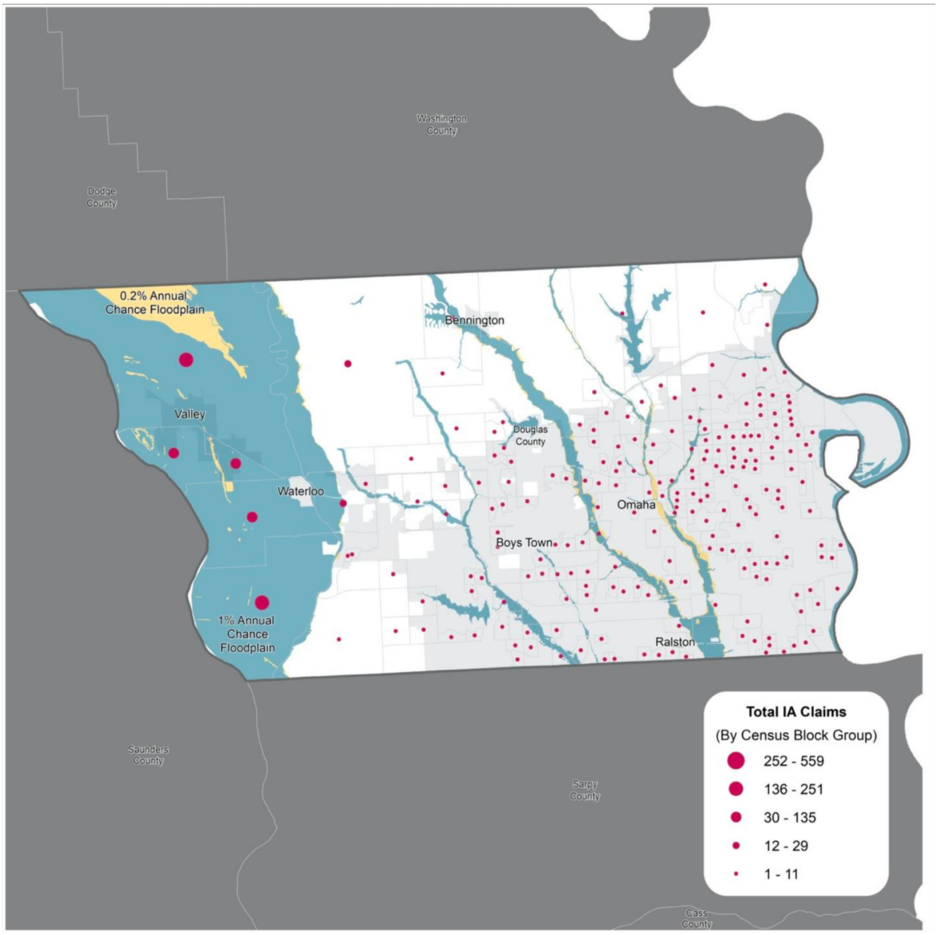


Figure 2-16: Total Individual Assistance Claims by Census Block Group for Dodge County

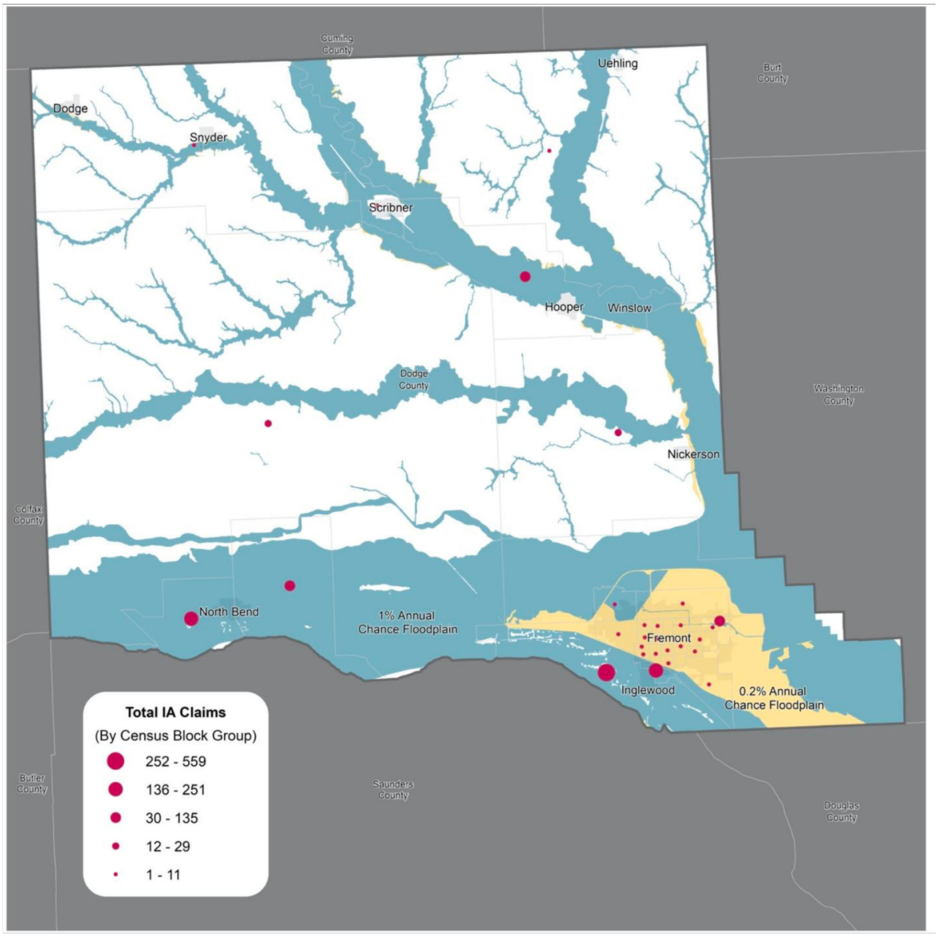
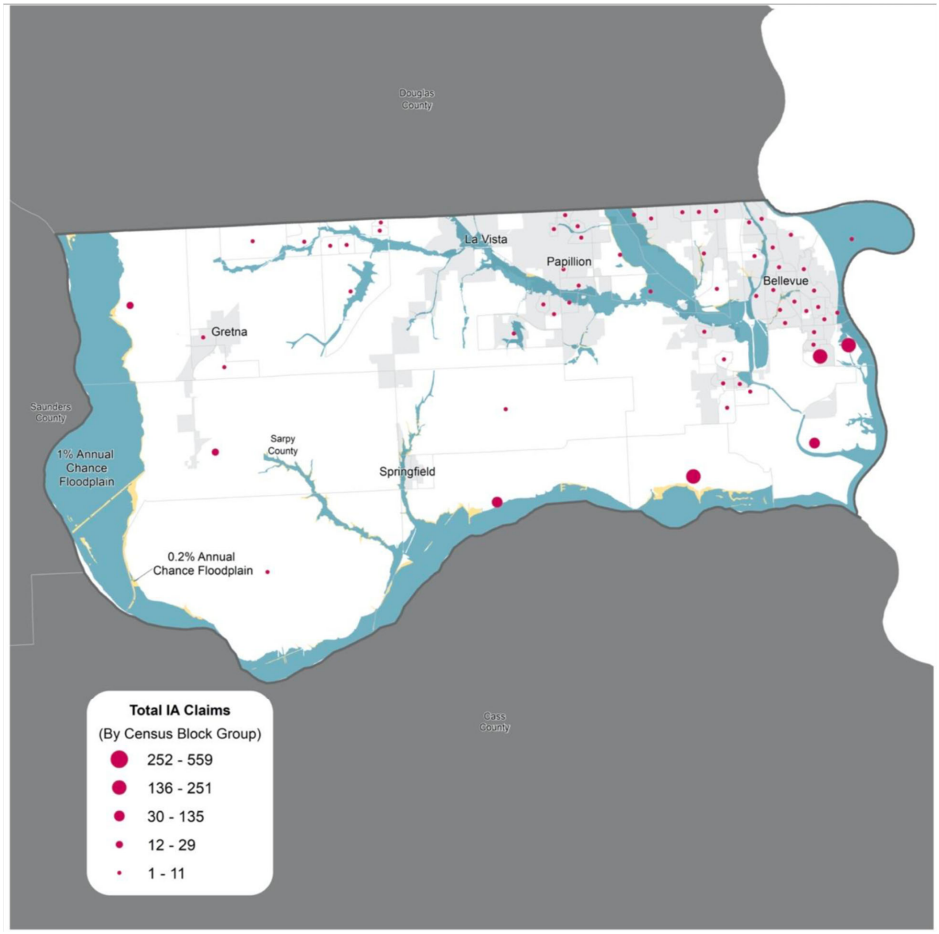


Figure 2-17: Total Individual Assistance Claims by Census Block Group for Sarpy County



2.5.2.1.1 Owner-Occupied and Renter-Occupied Housing

The 2019 disasters impacted owners and renters throughout the State of Nebraska. While HUD identified Dodge, Douglas, and Sarpy as the MID areas, the impacts were felt statewide. Table 2-22~~Table 2-23~~ details FEMA IA applications submitted by owners and renters, housing units inspected, and the demographics of those applications in each county. According to the US Census Bureau, as of 2018, Nebraska has an average poverty level of 11%, and is home to vulnerable populations including aging individuals (19%) and people with disabilities (7.9%). Additionally, 40.2% of the impacted communities earn income at or below 80% of the AMI.[93]

Table 2-22~~23~~22: FEMA Owner-Occupied and Rental Unit Application Data[94]

County	Total Owner Applications	Total Rental Applications	Inspections Completed	Less than 80% AMI	Poverty	Disabled	English as Second Language	Age Dependent (Less than 5, Over 65)	Minority Group	Unemployment
Antelope	33	2	20	44.6%	12.6%	8.3%	3.3%	23.6%	0.9%	1.3%
Boone	66	11	54	37.3%	9.2%	6.4%	1.8%	22.8%	0.9%	1.2%
Boyd	196	34	100	45.1%	13.9%	9.3%	2.1%	30.6%	0.9%	0.9%
Buffalo	325	75	305	40.4%	10.7%	7.8%	7.8%	14.5%	2.4%	2.2%
Burt	24	2	14	39.4%	10.8%	10.4%	2.5%	24.1%	1.4%	1.8%
Butler	78	7	48	37.9%	9.1%	8.3%	5.7%	20.9%	1.2%	2.1%
Cass	211	38	171	33.1%	7.4%	6.5%	2.2%	17.5%	1.2%	3.0%
Colfax	91	15	76	44.3%	10.4%	5.8%	44.3%	13.5%	9.7%	2.2%
Cuming	70	5	35	41.8%	8.9%	5.1%	8.0%	22.0%	2.3%	2.5%
Custer	183	15	143	42.2%	12.0%	8.0%	3.8%	22.4%	1.2%	1.9%
Dawson	328	39	308	45.6%	12.1%	8.3%	30.2%	16.6%	7.5%	2.6%
Dodge	1,001	323	1,020	40.2%	9.8%	8.8%	11.5%	19.2%	3.2%	4.6%
Douglas	814	274	861	43.6%	11.6%	7.5%	14.9%	13.0%	5.4%	4.2%
Hall	185	21	166	42.7%	13.0%	8.8%	22.0%	14.9%	6.3%	3.2%
Holt	59	5	37	41.8%	12.1%	8.0%	4.6%	21.6%	1.3%	0.8%
Howard	113	10	74	36.7%	10.2%	7.3%	2.3%	21.1%	0.9%	2.2%
Knox	156	26	126	42.5%	13.4%	7.5%	5.2%	24.7%	2.7%	2.1%
Madison	131	28	127	41.7%	11.7%	7.6%	13.5%	15.9%	3.9%	2.1%
Nance	37	4	22	45.4%	11.7%	10.5%	1.6%	21.4%	1.1%	2.1%
Nemaha	27	10	20	39.0%	12.7%	10.1%	2.8%	20.1%	1.2%	2.8%

[93] These populations, among others, will likely require targeted outreach. The Citizen Participation Plan in Section 8 of the Action Plan addresses the outreach requirements as outlined in the federal register for this allocation.
[94] Application and inspection data obtained from FEMA database last updated 03/16/2020. American Community Survey data obtained from https://www.census.gov/acs/www/data/data-tables-and-tools/data-profiles/.

County	Total Owner Applications	Total Rental Applications	Inspections Completed	Less than 80% AMI	Poverty	Disabled	English as Second Language	Age Dependent (Less than 5, Over 65)	Minority Group	Unemployment
Pierce	159	13	140	35.1%	9.8%	6.8%	1.8%	19.3%	0.9%	1.6%
Platte	88	14	59	35.6%	8.5%	5.6%	16.3%	17.2%	4.1%	3.8%
Richardson	14	7	14	46.8%	13.0%	9.4%	1.1%	24.7%	1.7%	2.2%
Saline	15	1	10	35.7%	12.4%	6.8%	23.2%	15.0%	5.8%	2.1%
Santee Indian Res.	4	0	0	-	-	-	-	-	-	-
Sarpy	726	270	767	30.2%	5.7%	6.6%	8.6%	11.8%	3.5%	2.2%
Saunders	146	16	110	33.7%	7.8%	8.3%	2.8%	18.7%	1.0%	1.7%
Stanton	32	7	21	36.3%	7.5%	6.5%	5.9%	17.9%	1.8%	2.0%
Thurston	90	35	94	55.3%	23.9%	8.9%	3.9%	11.8%	13.7%	9.6%
Washington	55	26	59	32.7%	6.9%	9.8%	2.5%	17.8%	1.0%	1.6%
Total	**5,457**	**1,333**	**5,001**	**40.2%**	**10.9%**	**7.9%**	**8.8%**	**19.1%**	**3.1%**	**2.5%**

Communities impacted by disasters face numerous challenges in the aftermath of the event. Health and safety risks increase when residents inhabit damaged properties and when properties damaged beyond repair sit vacant. Table 2-23~~Table 2-24~~ shows that of FEMA IA applicants:

- Nearly 56% of residents remained in their damaged homes post-disaster.
- Roughly 37% were displaced from their residence at the time of the disaster, living in various reported situations.
- Twenty-one applicants reported residing in mass shelters after the storms.[95]

Table 2-23~~24~~23: Owner and Renter Displacement Status[96, 97]

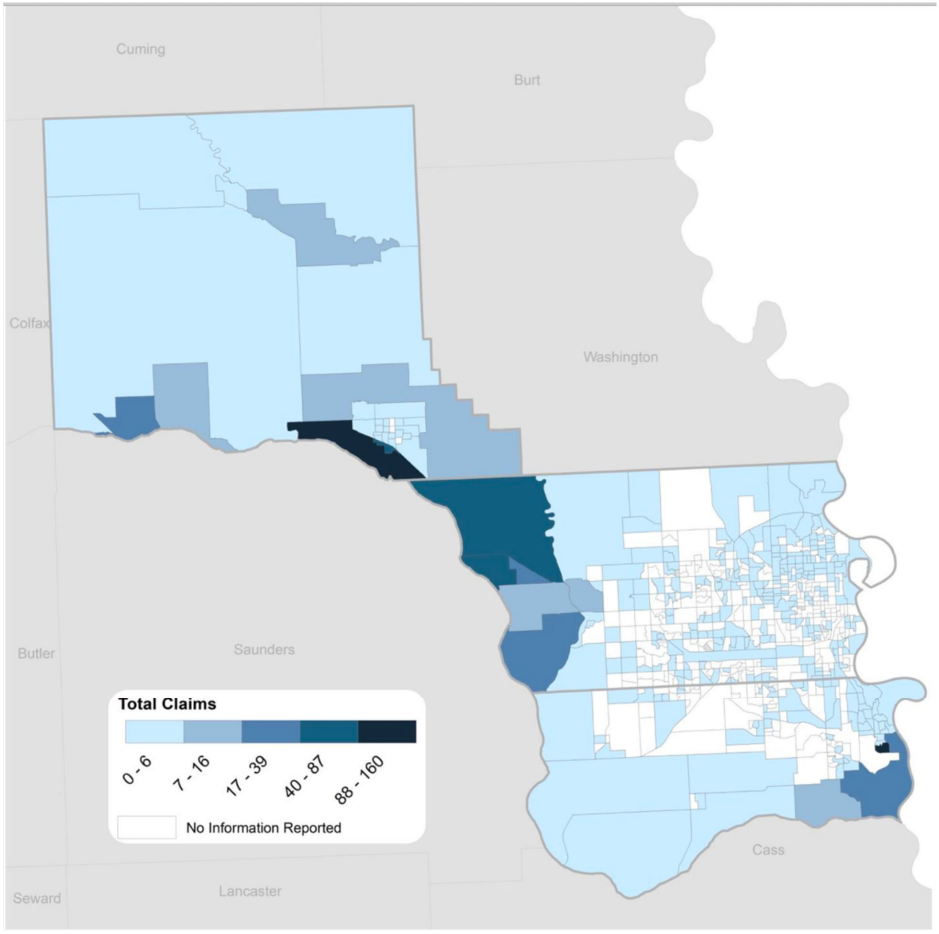
	Damaged Dwelling	New Rental Unit	Displaced	Total
Owner	3,298	289	1,869	5,456
Renter	481	229	623	1,333
Total	3,779	518	2,492	6,789
Percent of Total	56%	7%	37%	100%

Renters were eligible to apply for assistance to help pay for monthly rental assistance and replace damaged or destroyed personal property. In total, there were 1,333 applications submitted by renters with only 569 (42%) approved to receive assistance. The average payment for rental

[95] FEMA Database last updated 03/16/2020.
[96] Ibid.
[97] This data does not specify the reason for displacement.

assistance was $1,430.[98] When compared to Nebraska's median monthly rental payment ($805),[99] the average rental assistance received accounts for less than two months of rent. Figure 2-18~~Figure 2-18~~ shows the density of rental applications in the HUD-defined MID counties (69% of applicants approved for rental assistance were located in the HUD-defined MID).

Figure 2-18: Total Individual Assistance Claims from Renters by Census Block Group



[98] FEMA database last updated 03/16/2020: average of all rental assistance awarded.
[99] US Census Bureau. *2015-2018 American Community Survey 5-year Data. Retrieved at:* https://data.census.gov/cedsci/table?d=ACS%205-Year%20Estimates%20Data%20Profiles&table=DP04&tid=ACSDP5Y2018.DP04&g=0400000US31

2.5.2.2 Housing Characteristics

While moving homes from floodplains and replacing (versus repairing) mobile homes may provide residents with more suitable living situations, cost-effectiveness must be taken into account when making determinations about the programs that will be more beneficial to Nebraskans. Table 2-24~~Table 2-25~~ outlines the housing types reported on FEMA applications and Figure 2-19, Figure 2-20, and Figure 2-21 show the distribution of these housing types. These figures show the high density of mobile homes within the HUD-defined MID.

Table 2-24~~25~~24: Owner and Renter Housing Types Impacted[100]

Housing Type	Owner Applicants	Renter Applicants	Unknown	Total
Apartment	4	142	3	149
Boat	0	1	0	1
College Dorm	0	1	0	1
Condo	14	5	0	19
House/Duplex	4,278	809	62	5,149
Military Housing	0	1	0	1
Mobile Home	685	221	6	912
Other	400	132	15	547
Townhouse	13	3	0	16
Travel Trailer	63	18	2	83
Total	**5,457**	**1,333**	**88**	**6,878**

[100] FEMA database last updated 03/16/2020.

Figure 2-19: Most Impacted Housing Type by Census Block Group for Douglas County

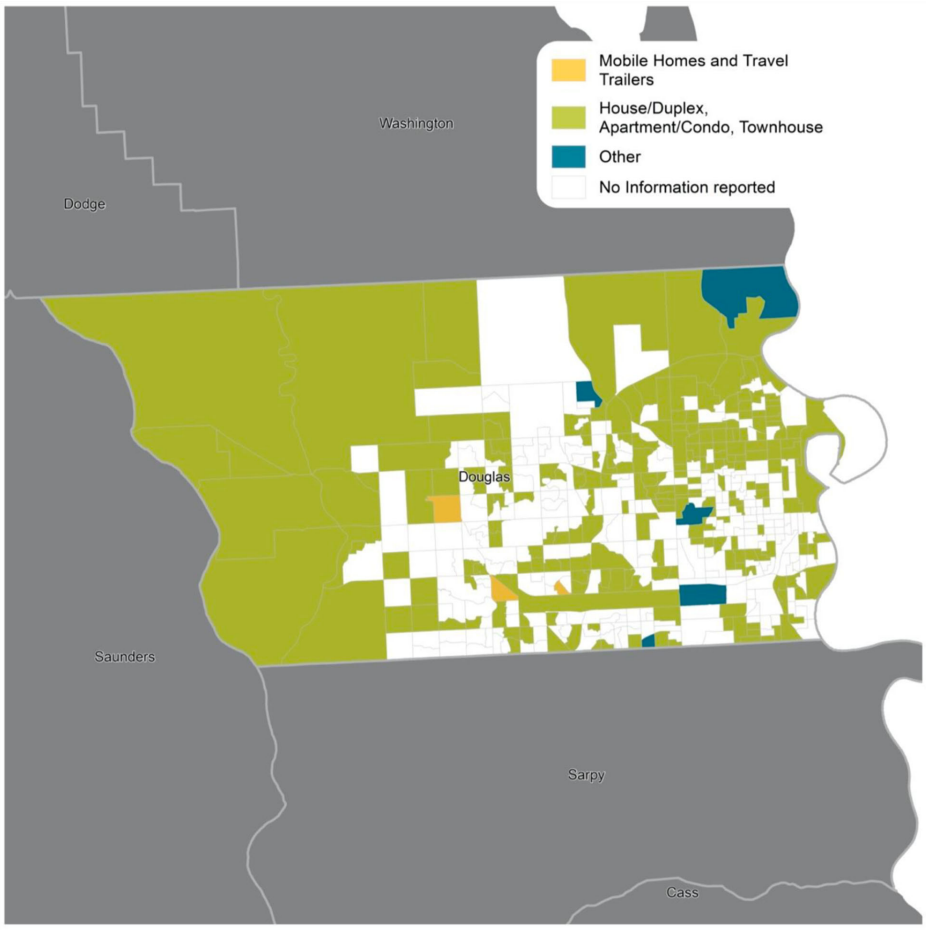


Figure 2-20: Most Impacted Housing Type by Census Block Group for Dodge County

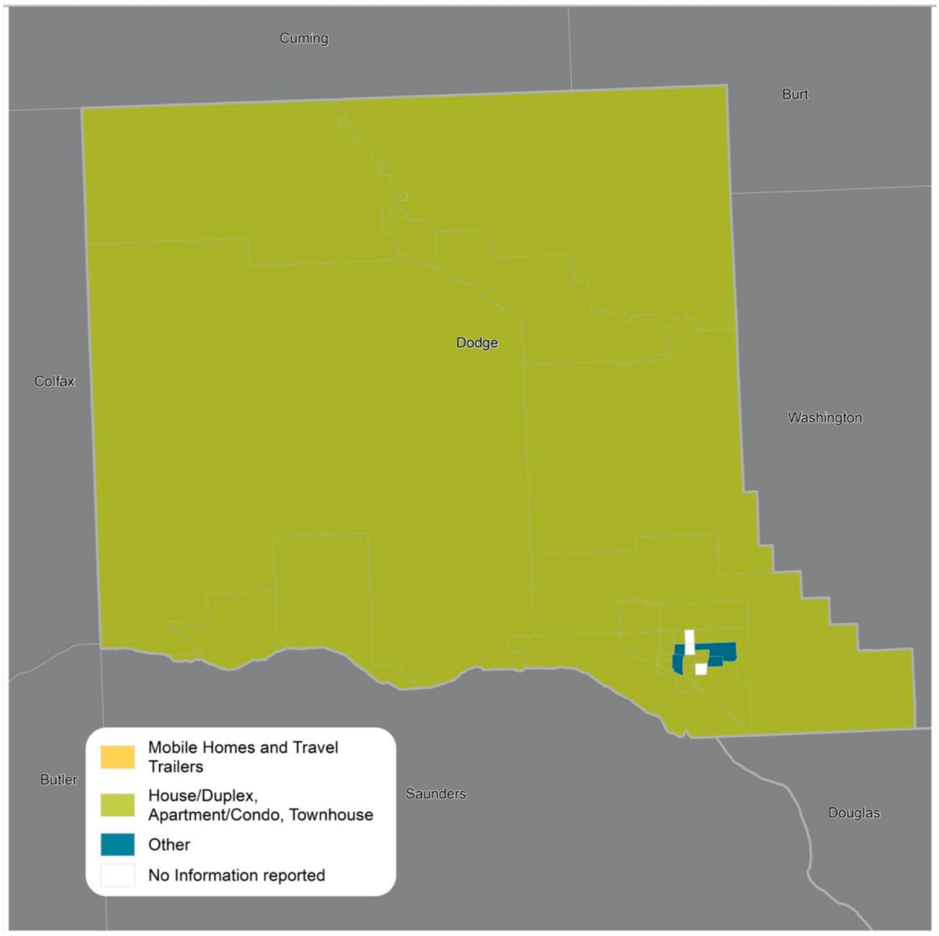
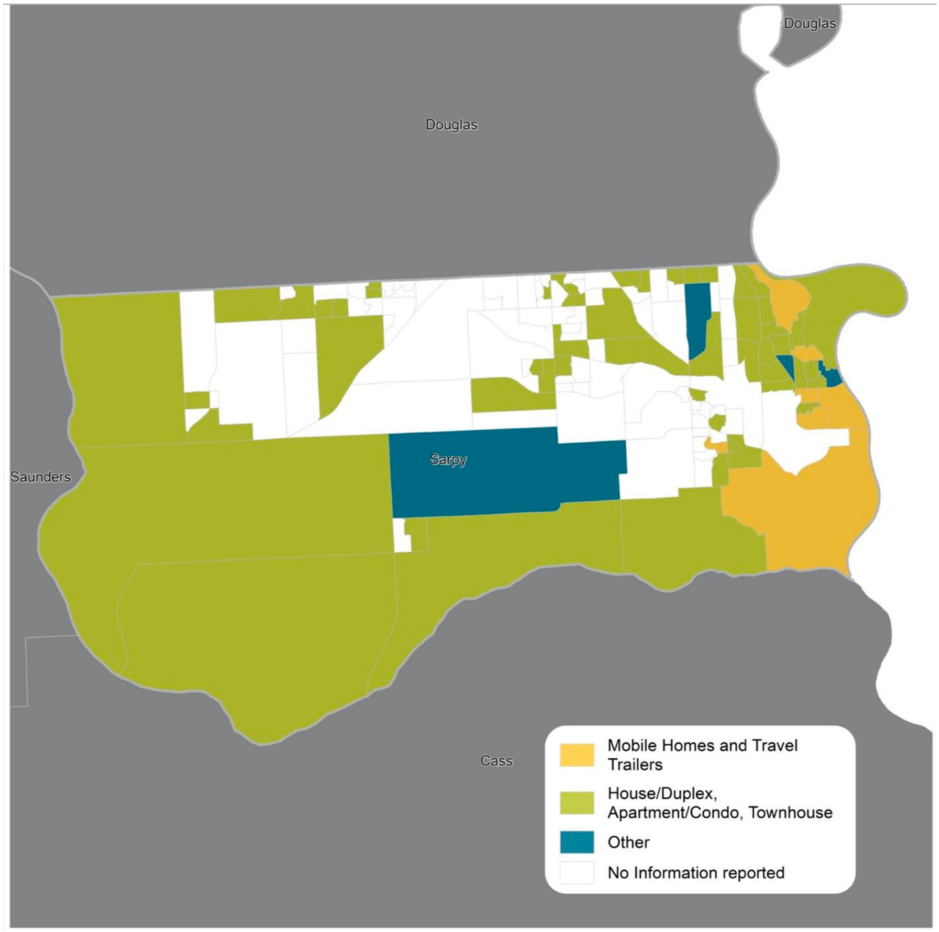


Figure 2-21: Most Impacted Housing Type by Census Block Group for Sarpy County



2.5.2.3 Affordable and Public Housing

Lack of affordable housing throughout the State of Nebraska presented challenges prior to the 2019 disasters. Affordable rent is defined as 30% of gross annual household income for a low-income family whose income equals 50% of the median income for the area, as determined by HUD, with adjustments for smaller and larger families, divided by 12 (months per year). The 2019 floods exacerbated the discrepancy of affordable housing, particularly in Sarpy, Dodge, and Douglas counties, for which nearly one-third of those that applied for federal housing assistance were renters.

DED conducted a survey of all impacted PHAs and counties to identify unmet needs specific to public housing authorities. The survey was distributed via email to PHA representatives in disaster-declared areas requesting information regarding whether housing or rental units were damaged from the storm events, the extent of damage, the status of repair, total damage costs, resources available to address damages, and remaining costs and repairs necessary to restore the units. DED further engaged individuals who replied to the survey to fully understand and support efforts to address the damage. Through this process, DED identified four PHA facilities with reported damage, many of which have had major repairs completed. The remaining unmet needs for these facilities are outlined in Table 2-25~~Table 2-26~~.

Table 2-25~~2625~~: Reported Impacts to Public Housing Authorities

County	Name of Facility	Estimated Remaining Unmet Need
Douglas	Douglas County Housing Authority	$22,100
Dodge	Jefferson House Youth Shelter	$41,750
Madison	Bright Horizons Shelter	$17,325
Boyd	Lynch Public Housing Authority	$28,394

Nebraska did not identify any recipients of the Section 8 Housing Choice Voucher Program as having been impacted by the floods. While DED cannot definitively state that no Housing Choice Voucher recipients were impacted, no indication from the Housing RSF reporting, the PHA survey, or LTRG reports identified any such impact. FEMA data identified four owner-occupied units as being impacted in the Santee Indian Reservation. For outstanding needs, CDBG-DR has prioritized public housing under its housing program scoring criteria. Under the Affordable Housing Construction Program, funds may be directed to new construction or unit rehabilitation to offset the impact of disaster-related losses in affordable housing, including rental housing.

Various housing authorities have or are conducting studies and outreach to communities with vulnerable populations to determine the need to address the lack of affordable housing.[101] For

[101] This information was obtained from the Sarpy County Housing Study and to be obtained from the Dodge County housing study (ongoing at the time of the Initial Action Plan).

example, the Sherwood Foundation is currently working to identify additional housing units impacted by the 2019 disasters on behalf of the City of Omaha, with the intent to inform strategies for the City of Omaha and identify gaps between their current stock and future need.[102] If other such studies are conducted within other areas of the state, that information will also be considered where it is made available to the State of Nebraska. The Housing Resilience Planning ~~Program~~ also allocates funding specifically to support housing recovery plans, which will support the investigation and response to these data across jurisdictions.

2.5.3 IMPACT ON THE ECONOMY

To understand the impacts on the state's economy, pre-disaster economic conditions and issues must be considered. Statewide and regional unemployment rates limit the pool of available skilled workers, hindering rebuilding and recovery efforts. Long-standing patterns of college-educated adults moving from smaller communities within the state to its larger cities, or out of state entirely, have compounded these workforce issues.[103] The economic after-effects of the 2019 disasters, combined with the onset of COVID-19 and preexisting factors, will likely impose long-term impacts on the state as a whole.

2.5.3.1 Small Business Unmet Needs Analysis

The Small Business Administration (SBA) makes low-cost disaster loans available to qualified small businesses. The SBA defines small business as a "business with a maximum of between 250 and 1,500 employees, depending upon the industry. They're privately owned corporations, partnerships, or sole proprietorships that have less revenue than larger businesses."[104] According to the SBA's business and economic injury loss data, 228 businesses across the state applied for SBA business loans after the 2019 disasters. Among the 228, 176 of these applications came from within the HUD-defined MID. Of the businesses that applied for assistance, 68 were approved for loans, totaling approximately $8,548,200. Thirty-one of the approved loans totaling $3,698,900 were cancelled for reasons such as changed circumstances, notification of insurance payout, or identification of alternate sources of funding.

SBA calculated total verified business losses (losses verified for initial loan determination) of $22,417,026 for real estate repair and reconstruction, debris removal, land improvements, lost inventory, machinery and equipment, furniture and fixtures, and leasehold improvements. SBA and insurance payouts to businesses totaled $5,174,335, resulting in potential unmet needs of $17,242,691.

[102] Ibid.
[103] Nebraska Department of Economic Development, January 22, 2020. Economic Recovery Support Function Coordination Meeting.
[104] Small Business Administration, 2020. Size Standards. Retrieved at https://www.sba.gov/federal-contracting/contracting-guide/size-standards.

Table 2-~~26~~27~~26~~: Summary of Economic Assistance[105]

	Economy
Amount of Estimated Damage: *Property + Content Losses*	$22,417,026
Amount of Funds Available: *Insurance Payouts + Approved Loans*	$5,174,335
Unmet Needs: *Damage – Funds Available*	$17,242,691

Despite arriving at a higher estimation of unmet economic revitalization needs, this Action Plan does not allocate funding for these needs due to a subsequent injection of financial support for the private sector (COVID-19 relief). Upon preliminary review of applications for COVID-19 related funding, it was apparent that the economic needs attributed to that event, along with available economic recovery resources, were much more significant than those attributed to the 2019 disasters. Furthermore, these mitigating factors make it increasingly difficult to draw the necessary nexus between needs and the 2019 disaster. See the *Foreword* section of this Action Plan for further discussion of how funds are being prioritized in the wake of COVID-19.

2.5.4 FEDERAL ASSISTANCE PROVIDED

Various funding streams are available to assist with the recovery from DR-4420. These funding sources range from local to federal assistance with varying degrees of allowable uses and amounts. Communities should assess all available sources to determine the viability of each source and their capacity to administer the funds appropriately.

2.5.4.1 Federal Emergency Management Agency

The presidential declaration for DR-4420 enabled FEMA to allocate funding for immediate emergency recovery needs in Nebraska. With the declaration, IA and PA was made available to supplement local recovery efforts in the designated counties and tribal areas.[106] Designated counties (areas included in disaster declaration as sustaining damage) are eligible for one or more of the following types of assistance:

- **FEMA Individuals and Households Program (IHP):** Through IHP, FEMA provides IA directly to individuals and households, as well as state, local, and tribal territory governments to support individual survivors. For this declaration, assistance available through the IHP program included: Federal IHP Housing Assistance and Other Needs Assistance (ONA).
- **FEMA PA Emergency Work Assistance (Categories A and B):** FEMA is authorized to provide PA funding for Emergency Work, including emergency protective measures and debris removal. Emergency Work is that which must be done immediately to save lives, protect public health and safety, protect improved property, or eliminate or lessen an immediate threat of additional damage.

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[105] Data obtained from SBA database provided and current as of March 10, 2020.
[106] Funding will be provided directly to federally recognized tribes.

- **FEMA PA Permanent Work Assistance (Categories C through G):** Permanent Work is work required to restore a facility to its pre-disaster design (size and capacity) and function in accordance with applicable codes and standards.

Table 2-27~~Table 2-28~~ represents the ~~final~~initial awards for each category of funding available to eligible counties in Nebraska. See Table 2-11 for dollar amounts awarded by PA Category as of September 2023.

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Table 2-27~~28~~27: FEMA Approved Financial Assistance

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Category	FEMA Dollars Approved (as of 03/2020)		
Individuals and Households Programs	**Housing Assistance (HA)**	**Other Needs Assistance (ONA)**	**Total**
	$24,155,059.49	$2,919,755.91	$27,074,815.40[107]
Public Assistance Grants	**Emergency Work – Category A-B**	**Permanent Work – Categories C-G**	**Total**
	$9,998,764.41	$26,571,683.28	$36,570,447.69[108]

2.5.4.1.1 Individuals and Households Program

IHP assistance provides financial help and direct services to eligible individuals and households who have uninsured or underinsured necessary expenses and serious needs. IHP assistance is not a substitute for insurance and cannot compensate for all losses caused by a disaster; it is intended to meet basic needs and supplement disaster recovery efforts.

IHP assistance is limited to 18 months following the date of the disaster declaration. The period of assistance begins at the date of the presidential declaration and not the date on which the disaster is designated for IA. Disaster declaration DR-4420 was issued on March 21, 2019 and, as of the date of this report, assistance for the State of Nebraska under DR-4420 is slated to end September 21, 2020.

2.5.4.1.2 Public Assistance: Emergency and Permanent Work

Eligibility for public assistance is based on four factors: applicant, facility, work, and cost.

- **Applicant**: Must be a state, territory, tribe, local government, or nonprofit organization.
- **Facility**: Must be a building, public works, system, equipment, or natural feature.
- **Work**: Categorized as either emergency or permanent. The work must be required as a result of the declared incident, located within the designated disaster area, and the legal responsibility of the applicant.

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[107] IHP dollars have been approved but not necessarily disbursed.
[108] Dollars obligated will be made available to the state following FEMA review and approval.

- **Cost**: Funding must be tied directly to eligible work and be adequately documented, authorized, necessary and reasonable. Eligible costs include labor, equipment, materials, contract work, as well as direct and indirect administrative costs.[109]

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FEMA evaluates the estimated cost of federal and non-federal public assistance against the statewide population to give some measure of the per capita impact within the state. FEMA uses a figure of $1 per capita, which is adjusted annually based on the Consumer Price Index for All Urban Consumers, as an indicator that the disaster is of such size that it might warrant federal assistance. For a jurisdiction to qualify for a presidential disaster declaration, the estimated cost of damage must meet or exceed $1 million in public assistance damage per disaster.[110]

FEMA also examines the reported damage at the county and local government level because at times there are extraordinary concentrations of damage that might warrant federal assistance even if the statewide per capita is not met. This is particularly true where critical facilities are involved or where localized per capita impacts might be extremely high.

Counties deemed ineligible for PA may still have sustained damage, but it was not severe enough to include that county in the declaration based on the pre-determined threshold.

2.5.4.1.3 Hazard Mitigation Assistance

Nebraska first developed and launched its mitigation approach in its 1985 Hazard Mitigation Plan, which was developed after a series of tornadoes, floods and severe storms in 1984.[111] Nebraska's mitigation efforts provide background and context for the additional costs and needs for mitigation activities. Successful programs have expanded public support for these initiatives, particularly through projects to rebuild and repair dams and levees on the Missouri River and Platte River, as well as acquisition projects for removal of flood prone structures.

FEMA's Hazard Mitigation Assistance (HMA) program is an umbrella of funding programs FEMA uses to support communities in their effort to reduce risk to hazards and increase resilience. Specific to recovery, FEMA HMGP provides funding for hazard mitigation projects to states following a presidentially declared disaster. HMGP can fund both housing and infrastructure projects; elevation and the acquisition and demolition of private homes; and community flood control projects such as repairing drainage issues, ditch improvements, and repairing or replacing flood walls. DED will make cost estimates and planning assumptions based on existing data from NEMA's implementation of HMGP. The Infrastructure Match Program review process and scoring criteria are designed to incorporate review of cost reasonable mitigation approaches.

HMGP funding is dependent on the amount of FEMA IHP and PA provided to states post-disaster. FEMA provides 15% of the first $2 billion provided through FEMA IHP and PA and 10% of the next $8 billion. Based on the estimated funding provided through FEMA IHP and PA, currently,

[109] Federal Emergency Management Agency, 2020. *Public Assistance: Local, State, Tribal, Private Nonprofit. Retrieved at: http://www.*fema.gov/public-assistance-local-state-tribal-and-non-profit
[110] Per 44 CFR § 206.48.
[111] State of Nebraska, 2019. *2021 Hazard Mitigation Plan*. Retrieved at https://nema.nebraska.gov/recovery/nebraska-state-hazard-mitigation-program.

the state understands that $55 million ~~is expected in the next six months; however, the total expected amount of funding and delivery time is unknown.~~was expected to be disbursed in 2021.

The Nebraska Emergency Management Agency most recently updated the State's Hazard Mitigation Plan (HMP) in 2021. The plan serves as a key resource for the overall risk assessment and identification of capabilities relating to mitigation activities across the State of Nebraska. DED shares NEMA's approach in structuring funds to be implemented by subrecipients that can leverage local knowledge of mitigation needs and building practices. A network of implementing agencies in jurisdictions already exists through Natural Resource Districts, Public Power Districts (PPDs), state agencies, and local governments that NEMA highlights as core proponents of mitigation activities.

2.5.4.2 Community Development Block Grant – Disaster Recovery

Public Law 116-20 appropriated CDBG-DR funds for 2019 disasters with HUD allocating $108,938,000 to Nebraska in response to damage caused by Winter Storm Ulmer and related events (DR-4420). The CDBG-DR allocations are based on the sum of the following factors:

- Repair estimates for seriously damaged owner-occupied units without insurance (with some exceptions) in the HUD-defined MID areas after FEMA and SBA repair grants or loans are applied;
- Repair estimates for seriously damaged renter-occupied units with very low-income renters in the HUD-defined MID areas;
- Repair and content loss estimates for small businesses with serious damage denied by SBA; and
- The estimated local cost share for Public Assistance Categories C to G.

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Grantees are required to spend no less than 80% of the allocation, net administration and planning costs, on the HUD-defined MID counties and zip codes. Projects within HUD-defined MID counties will be prioritized to meet this requirement. Table 2-28~~Table 2-29~~ shows the total amount required to be spent in the HUD-defined MID counties on housing and infrastructure needs and the balance to be spent in the remaining counties.

Table 2-28~~29~~28: Nebraska HUD CDBG-DR Allocation for Unmet Needs[112]

	Allocation
Allocation Required for HUD-defined MID Counties/Zip codes *80% of Total Allocation*	$80,392,880
Balance for Remaining Counties	$20,098,220
Administration and Planning	$8,446,900
Total Allocation	**$108,938,000**

[112] Allocations, Common Application, Waivers, and Alternative Requirements for Disaster Community Development Block Grant Disaster Recovery Grantees, 85 Fed. Reg. 17 (January 27, 2020). *Federal Register: The Daily Journal of the United States*. Web. 27 January 2020.

2.5.4.3 Federal Highway Administration Emergency Relief

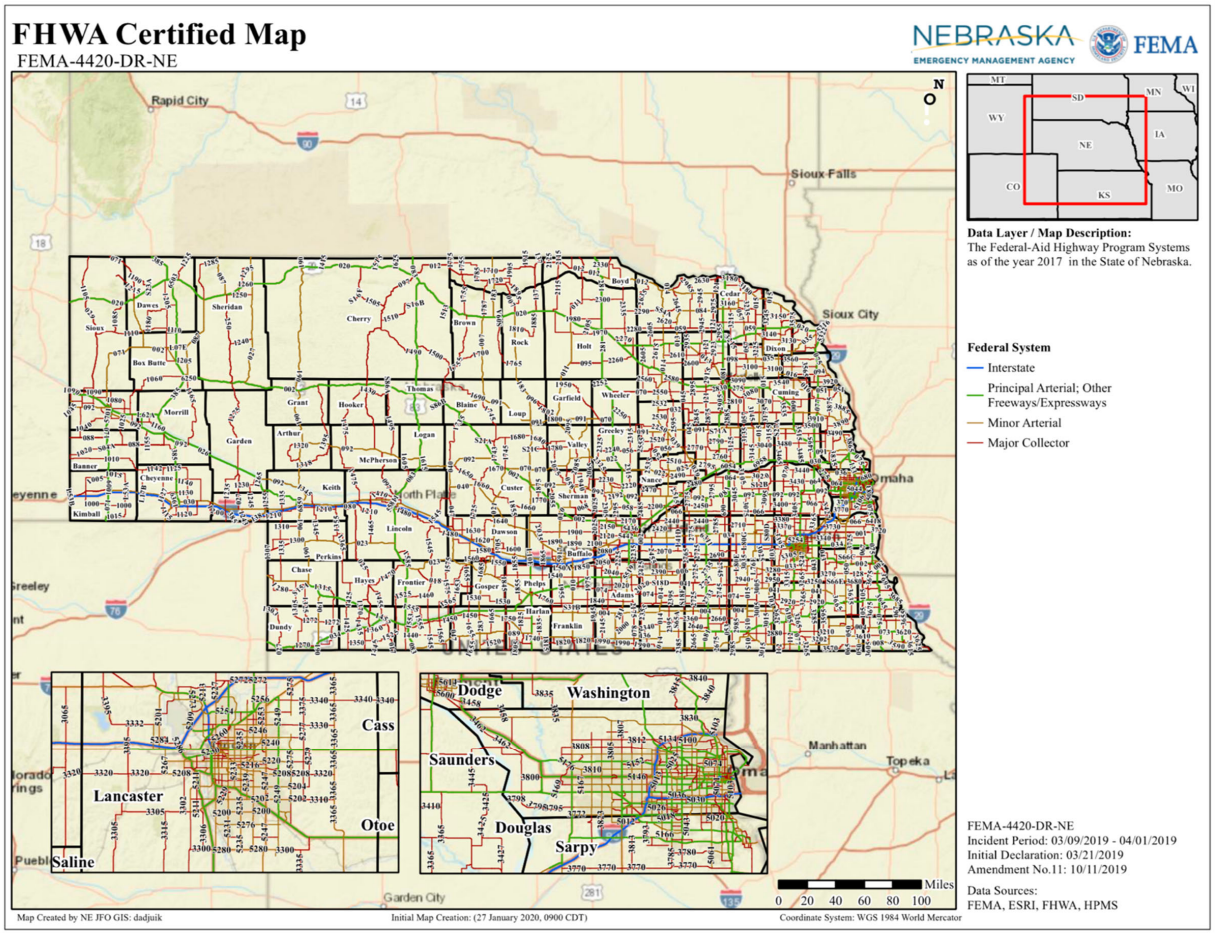
Federal Highway Administration (FHWA) classifies urban and rural roadways by *road function.* Each function class is based on the type of service the road provides to the motoring public, and the designation is used for data and planning purposes.[113] Recovery of road and bridge infrastructure is dependent on the type of road or bridge damaged. The FHWA certified roads are potentially eligible for Federal Highway Administration Emergency Relief (FHWA ER) funding, while all other roads are potentially eligible for FEMA PA funding. A summary of damage and funding available to support recovery of FHWA is summarized in Table 2-29~~Table 2-30~~. FEMA's PA Program may pay for repairs to roads not covered by the FHWA ER program. Figure 2-22~~Figure 2-22~~ shows the distribution of FHWA roads in the state.

Table 2-293029: Summary of FHWA-ER Program[114]

	Amount
Damage to FHWA roads	$201,000,000
Anticipated Funding for FHWA Road Recovery	$160,800,000
Unmet Needs for FHWA Road Recovery	$40,200,000

[113] Federal Highway Administration, 2000. *Road Functions Classification. Retrieved at:* https://safety.fhwa.dot.gov/speedmgt/data_facts/docs/rd_func_class_1_42.pdf.
[114] United States Department of Transportation Federal Highway Administration, 2019. *Special Federal-aid Funding: Emergency Relief Program.* Retrieved at: https://www.fhwa.dot.gov/programadmin/erelief.cfm

Figure 2-22: Map of Statewide FHWA Roads



2.5.4.4 US Army Corps of Engineers Rehabilitation and Inspection Program

The USACE RIP supports community recovery by providing funding for flood control and restoration projects. This program was created to ensure flood control projects continue to protect communities and if they are damaged, restored immediately. The extent of the damage to flood control and restoration projects from the 2019 disasters supported by the USACE RIP has continued to evolve throughout the recovery process. As of February 2020, the total damage has been reported as high as $500 million for USACE RIP eligible projects, but under $33 million has been obligated. The USACE RIP requires a non-federal cost-share of 20% for repairs to non-federal systems.

This cost was unaccounted for in the unmet needs calculation by HUD and may reflect a potential recovery gap not reflected in the UNA.

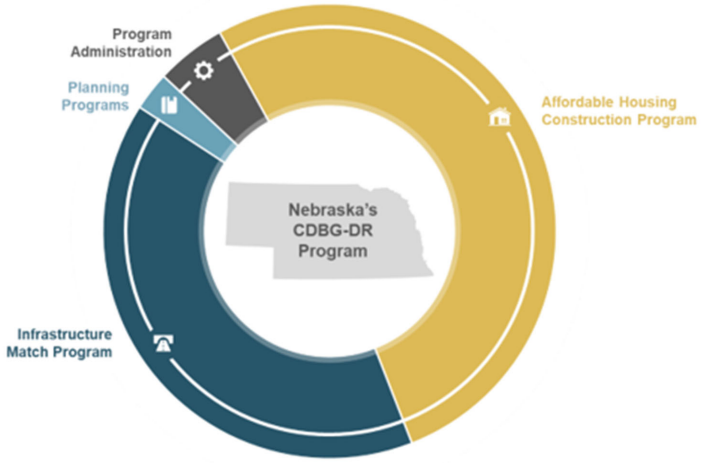
2.5.4.5 United States Department of Agriculture Natural Resources Conservation Service Emergency Watershed Protection Program

The United States Department of Agriculture (USDA) NRCS EWPP provides recovery funding to local communities to support long-term restoration of infrastructure and the environment. Cities, counties, towns, conservation districts, and federally recognized tribes are eligible. The extent of the damage to flood control projects from the 2019 disasters supported by the USDA NRCS EWPP has continued to evolve throughout the recovery process. After evaluating the potentially eligible EWPP sites, the NCRS began working with eight levee sponsors, for 73 project sites, in seven different counties.[115] The total approved funding for the EWPP as of January 2020 is $4.1 million, but this number is expected to increase.[116] Depending on the project, NRCS will fund between 75% and 90%, with the local cost-share between 10% and 25%. This cost was unaccounted for in the unmet needs calculation by HUD and may reflect a potential recovery gap not reflected in the UNA.

[115] USDA, n.d. "NRCS Emergency Watershed Protection Program Implementation in Nebraska Following the 2019 Disaster."
[116] Ibid.

3 METHOD OF DISTRIBUTION

As the UNA and HUD's early assessments both indicate (see Figure 2-2), DR-4420 generated catastrophic impacts to infrastructure, resulting in significantly higher losses in that category than economic and housing needs. To address the extensive infrastructure needs within the state, the state is prioritizing CDBG-DR funding under DR-4420 for infrastructure recovery. This decision was also informed by subsequent allocations of funding under the CARES Act, which made additional funds available for housing support and economic recovery. Further still, the realized and forecasted revenue loss across municipal and state governments are likely to prove challenging for municipalities struggling to contribute to local match requirements. CDBG-DR funds will be distributed in accordance with



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~~Figure 3-1~~, which is described in greater detail in Section 5.

As contemplated in the Initial Action Plan, the unmet needs CDBG-DR funds can support are a moving target. Action Plan amendments are a tool for accounting for and addressing changing unmet needs throughout the long-term recovery process. As amended, this Action Plan attempts to tell the story of the evolving unmet needs and how its programs address them while acknowledging those needs have been addressed with the support of CDBG-DR, other means, or remain unmet; or where the unmet needs shifted (e.g., where the local cost-share was reduced by the Executive Branch).

In the interest of telling the story of recovery, the Unmet Needs Assessment (UNA) reflects the assessment made in the Initial Action Plan. Therefore, Figure 2-1 represents the original UNA and has not been changed via amendment. However, where revisions to the UNA findings have been made by subsequent Action Plan Amendments, those changes are so noted in the associated Summary of Changes and incorporated within the Action Plan, as amended. Their

effect on program details and budgets are reflected in this Section 3: Method of Distribution and Section 5: Program Design. Importantly, not all amendments may affect the Method of Distribution (MOD).

3.1 CHANGES BY AMENDMENT

Amendment 1 (Substantial). Indirect impact on the MOD. Changes were incorporated to address program design considerations. As programs were being readied for launch, certain details needed to be modified.

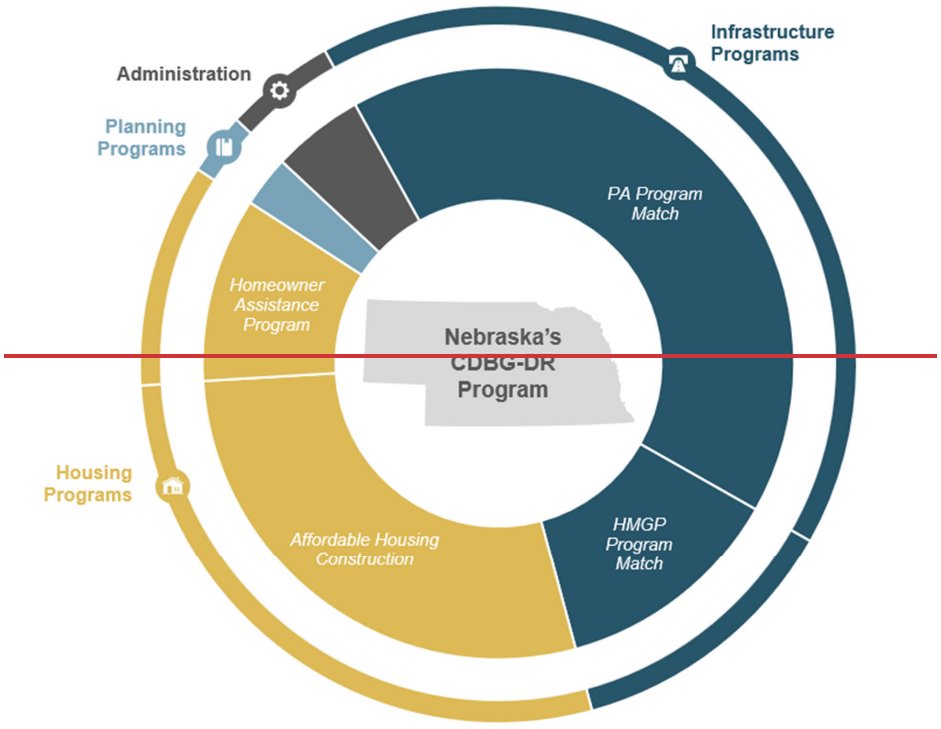
Amendment 2 (Nonsubstantial). Direct impact on MOD. Table 2-1 is an overview of programs launched by the time of this amendment. Additional funds are expected to be awarded in all programs, but the initial response shows the need for additional funding in the Affordable Housing Construction Program, and less need than originally forecasted in the Infrastructure Match Program for FEMA PA. Furthermore, the interest in AHCP-LIHTC was much higher than anticipated, so making additional funding available to support the demonstrated interest in AHCP-HPP was necessary. Funds to support housing construction continue to be discussed. Conversely, with the change to the local cost-share for FEMA PA projects, down to 10% from 25%, the actual unmet needs for those projects have been significantly reduced.[117] Using the November 2019 total of PA project awarded value of $313,905,205, the original 25% local match need was $78,476,301, but with 10% cost share is only $31,390,521. While additional project value has been approved since November 2019, the unmet need is still significantly less than originally forecast. Funds to support other infrastructure activities continue to be discussed.

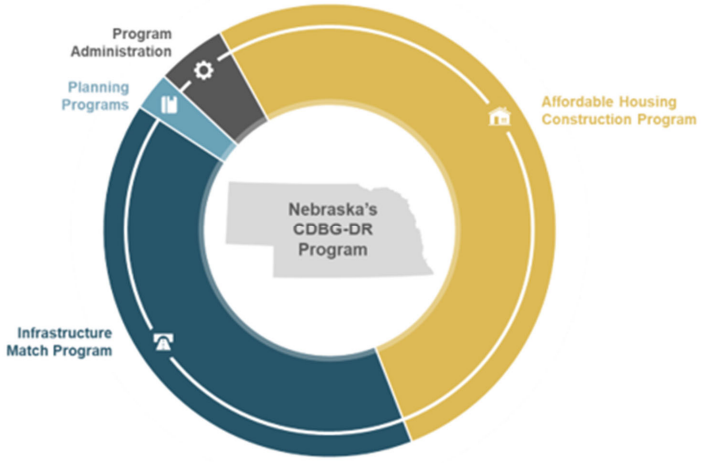
In sum, once the FEMA PA reimbursement level was increased from 75% to 90% for this disaster, fewer CDBG-DR funds were required to meet the non-Federal match requirements. The Housing Programs have ongoing demand, so funds made available by the Infrastructure Match Program have been moved into the Housing Programs in Amendment 2.

Amendment 3 (Substantial). Direct impact on MOD. APA3 moves $15.0M into ACHP from the Infrastructure Match Program, eliminates the HAP program and moves its $11M budget into AHCP, and simplifies sub-program budgets. APA3 also updates graphics related to FEMA PA Match to reflect awarded project value as of mid-2023 and the dollar amount reimbursed by FEMA under the new 90% reimbursement rate.

[117] On May 28, 2021, President Biden made additional disaster assistance available to the State of Nebraska by authorizing an increase in the level of Federal funding for FEMA Public Assistance projects as a result of Winter Storm Ulmer (DR-4420), thereby reducing the unmet need for CDBG-DR funds to support local cost share requirements. See https://www.fema.gov/press-release/20210528/president-joseph-r-biden-jr-amends-nebraska-disaster-declaration.

Figure 3-1: Nebraska's CDBG-DR Program Method of Distribution


Infrastructure Programs
Administration
Planning Programs
PA Program Match
Homeowner Assistance Program
Nebraska's CDBG-DR Program
Housing Programs
Affordable Housing Construction
HMGP Program Match



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3.2 PROGRAM BUDGET

Table 3-1~~Table 3-1~~ presents the details of Nebraska's CDBG-DR program. According to the program budget, 92% of the CDBG-DR program funding will be distributed through the housing and infrastructure programs. This program budget accounts for the programmatic administration and planning requirements, including the provisions that five percent of the grant total (plus program income) may be used for administrative costs and 15% of the grant total can be used for planning.[118] Eighty percent of the outlined budget will be allocated to the HUD-defined MID areas per the applicable Federal Register Notices through prioritization measures in the infrastructure and housing programs for projects serving the MID and LMI populations.

[118] 83 Fed. Reg. 83 (February 9, 2018).

Table 3-1: Program Budget

Program Category	Program Name	Allocation	Percentage of Total Budget[119]
Infrastructure Programs	Public Assistance Match	$44,978,602	28.3%
	Hazard Mitigation Grant Program Match	$13,712,498	12.6%
	Total Infrastructure Programs	$58,691,100	53.9 1%
Housing Programs	Affordable Housing Construction Program	$30$56,800,000	28.352.1%
	Homeowner Assistance Program	$11,000,000	10.1%
	Total Housing Programs	$41,800,000	38.4%
Planning	Risk Awareness Planning Program	$7503,000,000	02.8%
	Housing Resilience Planning Program	$2,250,000	2.2%
	Planning Programs	$3,000,000	3.0%
Administration	Program Administration	$5,446,900	5.0%
Total CDBG-DR Program Funding		$108,938,000	

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[119] The percentage of total budget excludes all administrative costs, which are collectively accounted for under the line item "Administration."

4 PROGRAM PRIORITIES

The following section outlines the program priorities for Nebraska's CDBG-DR program; this not only includes the CDBG-DR national objectives, but also additional state priorities for disaster recovery.

4.1 NATIONAL OBJECTIVES

The national objectives of the CDBG program will guide development of activities to be funded through Nebraska's CDBG-DR program. To be funded, each activity and program needs to be eligible and tied to a specific national objective.[120] The national objectives include:

- **Benefiting LMI persons:** This is the primary national objective in that at least 70% of the funding be expended for activities that benefit LMI populations.[121] Four approaches may be utilized to meet this objective, each with their own requirements for the CDBG program. These categories include: Low- and Moderate-Income Area Benefit (LMA), Low- and Moderate-Income Limited Clientele (LMC), Low- and Moderate-Income Housing Activities (LMH), and Low- and Moderate-Income Job Creation or Retention Activities (LMJ).[122]
- **Aiding in the prevention or elimination of slums or blight:** This national objective benefits areas that are deteriorating by upgrading the physical environment. Meeting this objective is achieved by determining the extent of blight and physical conditions that contribute to it in the proposed area. There are two approaches, Slum Blight Area Basis (SBA) and Slum Blight Spot Basis (SBS) to demonstrate compliance with this national objective, each with its own requirements under the CDBG program.[123]
- **Meeting a need having a particular urgency (urgent need):** This objective alleviates emergency conditions and while its use is rare within the regular CDBG program, it does have utility in CDBG-DR. The criteria for the Urgent Need objective include existing conditions pose an immediate threat to the health or welfare of the community, these conditions developed recently, and there is no alternative way for the project to be funded.[124]

Table 4-1 describes the connection between the national objectives and Nebraska's CDBG-DR program.

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[120] Meeting a national objective is a requirement for a program activity to be funded according to 42 USC 5304(b)(3).
[121] 42 USC 5301(c).
[122] 24 CFR 570.483.
[123] Ibid.
[124] Ibid.

Table 4-1: CDBG National Objectives and Their Connection to Nebraska's CDBG-DR Program

Program Name	Description	Connection to National Objectives
Infrastructure Match Program	This program will utilize CDBG-DR funding to alleviate the burden for local communities ~~in~~including but not limited to meeting the local match requirements for the PA program and HMGP in the aftermath of the 2019 disasters.	Benefiting LMI Persons; Urgent Need
Affordable Housing Construction Program	This program is intended to increase affordable housing supply in flood-impacted areas. The program will be administered by DED and will be consist of two application types. The first application will be in partnership with the Nebraska Investment Finance Authority (NIFA), in the joint Low Income Housing Tax Credit (LIHTC) program. The second application will be through DED directly, where LIHTC is not a funding source.	Benefiting LMI Persons
Homeowner Assistance Program	This program will utilize CDBG-DR funding to provide grants for housing counseling, training, and homebuyer down payment and closing cost assistance. The program will also provide forgivable loans to LMI homeowners who lost their homes in the disaster and have insufficient funds from other sources to afford another moderately priced home.	Benefiting LMI Persons; Urgent Need

HUD requires that 70% of CDBG-DR funds be allocated and spent to benefit LMI populations. In order to meet this requirement, Nebraska has incorporated scoring criteria that prioritizes projects that benefit LMI populations. Funding will be distributed to meet this requirement as detailed in Table 4-2.

Table 4-2: Budget Breakdown to Meet LMI Spending Requirements

Program/Activity Category	~~Program Name~~	Allocation	LMI Percent	LMI Budget
Infrastructure Programs	~~Public Assistance Match~~	$~~44,978,602~~43,691,100.00	56%	~~$25,188,017.12~~ $24,467,016
	~~Hazard Mitigation Grant Program Match~~	~~$13,712,498.00~~	~~56%~~	~~$7,678,998.88~~
Housing Programs	~~Affordable Housing Construction Program~~	$~~30~~56,800,000~~.00~~	95%	$~~29,260~~53,960,000~~.00~~
	~~Homeowner Assistance Program~~	~~$11,000,000.00~~	~~95%~~	~~$10,450,000.00~~
Planning	~~Planning Programs~~	$3,000,000.00	70%	$2,100,000.00
Administration	~~Program Administration~~	$5,446,900.00	70%	$3,812,830.00
	Total Program Budget	$108,938,000.00	~~72.05~~73.92%	$~~78,489,843~~80,527,016.00

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4.2 PRIORITIZATION OF HUD-DEFINED MID AREAS

HUD requires that 80% of CDBG-DR funds be allocated and spent in HUD-defined MID areas. HUD originally identified the MID areas as being the entirety of Sarpy County, zip code 68025 (Fremont, Inglewood, and Woodcliff) in Dodge County, and zip codes 68064 and 68069 in Douglas County (Valley and Leshara). Based on the needs assessment, Nebraska will expand the HUD-defined MID to include all of Dodge County and Douglas County. As a result, Dodge, Douglas, and Sarpy counties will be the target for 80% of available CDBG-DR funding. For clarity of meaning, DED will use “MID” when describing the HUD-defined MID.

Nebraska has incorporated scoring criteria that prioritizes projects in HUD-defined MID areas. Stakeholder outreach will clearly communicate that at least 80% of funding will be allocated to address unmet needs in MID areas. Funding will be distributed to meet this requirement as described in Table 4-3. DED will also conduct direct outreach to the pool of potential subrecipients in MID areas to ensure their awareness of eligible funds targeting their jurisdictions.

Table 4-3: Budget Breakdown to Meet HUD Defined MID Spending Requirements

Program/Activity Category	~~Program Name~~	Allocation	HUD Defined MID Percent	HUD Defined MID Budget
Infrastructure Programs	~~Public Assistance Match~~	$~~44,978,602~~43,691,100.00	70%	~~$31,485,021.40~~$30,583,770
	~~Hazard Mitigation Grant Program Match~~	~~$13,712,498.00~~	~~70%~~	~~$9,598,748.60~~
Housing Programs	~~Affordable Housing Construction Program~~	~~$30~~56,800,000~~.00~~	100%	~~$30~~$56,800,000~~.00~~
	~~Homeowner Assistance Program~~	~~$11,000,000.00~~	~~95%~~	~~$10,450,000.00~~
Planning	~~Planning Programs~~	$3,000,000.00	80%	$2,400,000.00
Administration	~~Program Administration~~	$5,446,900.00	80%	$4,357,520.00
	Total Program Budget	$108,938,000.00	~~81.78~~86.42%	$~~87,651~~94,141,290.00

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4.3 SAFE AND RESILIENT BUILDING

Nebraska's CDBG-DR program aims to invest in programs to increase strength and resilience of the State. Specifically, this includes consideration of hazard risk (e.g., flood risk) in the determination of resource allocation during the planning phase. The funding target for investment in mitigation and resilience for the Infrastructure Match Program and the Housing Programs is 10% of total program funding which totals $10,049,110.

This also includes implementation of policy measures such as resilient, green building, elevation of structures, and infrastructure codes and standards that address durability, energy efficiency, public health (e.g., mold resistance), and hazard risk. Overall, funding allocated under Nebraska's CDBG-DR program will incorporate concepts of resilience, including preparedness, mitigation, and sustainability in order to enhance the state's resilience, build back stronger communities, and prepare for future conditions. Further detail regarding the state's strategic approach to implementing resilience as a cross-cutting element of its recovery activities is outlined in the *Long-Term Recovery and Resilience Plan*.[125]

There are multiple benefits for allocating funding with the concepts of resilience in mind, including fiscal responsibility and protection of Nebraska's communities. Specifically, this includes consideration of hazard risk (e.g., flood risk) in the determination of resource allocation during the planning phase. Additionally, this will include encouraging the rebuilding high quality, healthy, and sustainable construction. The availability of adaptable and reliable technologies and programs, including federally provided programs such as RiskMAP, are supporting the application of appropriate building practices based on areas that are most vulnerable to future natural disasters. Within these areas, approaches that include stricter zoning ordinances, flood warning systems, flood insurance, acquiring or elevating at-risk structures, and flood proofing are improving existing infrastructure to adapt to withstand flooding events.

In order to support cross-cutting and more resilient construction statewide, the CDBG-DR program will also require the adoption and enforcement of modern and/or resilient building codes and mitigation of hazard risk, including possible high winds and flooding. In order to maintain a cost reasonable approach to building construction under the Housing Programs, elevation will only be incorporated for projects that include new construction. The State estimates that elevation costs will average $30,000. No elevation is anticipated for other eligible activities under the housing programs.

All program activities will be designed and implemented with the goal of protecting people and property from harm. These include the following minimum standards:

- Housing programs will follow mitigation practices by constructing all replacement houses in compliance with County, State and Federal building codes and requirements.
- All replacement houses will be constructed in compliance with Green Building Standards as defined by HUD in the regulations.

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[125] DED, 2020. Long-Term Recovery and Resilience Plan. Retrieved at https://nema.nebraska.gov/sites/nema.nebraska.gov/files/doc/Long-Term%20Recovery%20%26%20Resilience%20Plan%20--%20FINAL%20--%20July%202020.pdf

- Replacement houses will be constructed with fire sprinklers if constructed in an area served by public water service.
- All construction activities will be conducted in compliance with the Green Building Standard and HUD CPD Green Building Retrofit Checklist.

4.4 ADDITIONAL PRIORITIES

4.4.1 PRIORITIZING VULNERABLE POPULATIONS

In addition to the objective of benefiting LMI persons, a priority for the plan will be to support recovery for vulnerable populations. Vulnerability is a fluid term, which, depending on the vulnerability and hazard, can refer to a broad spectrum of the population with unique needs in the context of a disaster. This Action Plan addresses housing (transitional, supportive, and permanent) for homeless or at-risk individuals and prevention of low-income households (particularly below 30% AMI) from becoming homeless.

To support the prioritization of vulnerable populations, Nebraska will maintain an awareness of disparities in access to opportunities, including:

- Poverty areas;
- School proficiency;
- Labor market engagement;
- Jobs proximity;
- Transportation costs;
- Transit trips index; and
- Environmental health indicator.[126]

In addition to maintaining awareness of vulnerable populations and potential housing solutions, Nebraska will prioritize activities under the housing programs that benefit low- and moderate-income households, persons experiencing homelessness, and individuals requiring supportive housing, as identified in 24 CFR 91.315(e). Applicants serving these populations will receive a higher score under the scoring criteria that will be used to support funding determinations. Prioritization of vulnerable populations aligns with applicable Fair Housing requirements.

Persons experiencing homelessness, low-income households, and persons requiring supportive housing also incorporated to the scoring criteria for housing programs.

4.4.2 LOCAL AND REGIONAL COORDINATION

The Nebraska CDBG-DR program will work collaboratively with local and regional partners to support consistent delivery and progress in recovery efforts. These efforts will include

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[126] DED, 2020. State of Nebraska 2020 Analysis of Impediments to Fair Housing Choice. Retrieved at: https://opportunity.nebraska.gov/wp-content/uploads/2020/03/Nebraska_AI_DPR_20200318_Website.pdf.

coordination with other regionally and locally established plans and policies, funded initiatives, and overarching collaboration with NEMA.

The Governor's Task Force continues to play a critical role in facilitating the State's engagement with the full range of recovery stakeholders across the State of Nebraska. LTRGs similarly convene a broad spectrum of recovery stakeholders to meet the needs of disaster survivors. DED directly engaged these groups during the UNA and leveraged their networks to conduct outreach to housing advocates (see section 2.5.2.3), local governments, Recovery Support Function leads, Voluntary Organizations Active in Disaster (VOAD), and other stakeholders (see also the *Baseline Conditions and Impact Assessment Report* and *Long-Term Recovery and Resilience Plan*). Surveys to these groups identified necessary improvements to recover from DR-4420 and directly informed the program design for infrastructure, housing, and planning ~~programs~~activities.

Entities such as the Governor's Task Force and LTRGs further play an instrumental role in communicating and coordinating assistance with communities across Nebraska. For example, Tribal Nation representatives in LTRGs, VOAD and the Governor's Task Force have supported the State's understanding of existing resources (e.g., federal allocations) designated to Tribal Reservations. Organizations such as the Santee Sioux Nation of Care continue to play an important role in these coordination meetings. DED will seek to continue and further expand engagement across the State of Nebraska to ensure that as CDBG-DR funding becomes available, it is clearly communicated to local governments, public housing authorities and Tribal Nations, as well as nongovernmental organizations, the private sector, and other stakeholders and affected parties in the surrounding geographic area.

Section 1.3 describes additional disaster recovery-related activities that are ongoing concurrent to the development of the Nebraska CDBG-DR Action Plan and program implementation, including the state's *Baseline Conditions and Impact Assessment Report*, *Long-Term Recovery and Resilience Plan*, and the *Disaster Recovery Action Plan*, which prioritize activities to address infrastructure systems, housing, health and social services, economy and agriculture, community planning and capacity building, and natural and cultural resources. The *Long-Term Recovery and Resilience Plan* also identifies funding sources through local, state, and federal grant and loan opportunities; commercial/small business administration loans; private, non-profit, and other sources; tax incentives; and state/local budgets that subrecipients can use to coordinate and leverage resources for maximum recovery impact.

The Nebraska State Hazard Mitigation Program, Local Hazard Mitigation Plans, and other state-funded initiatives (e.g., FEMA Building Resilient Infrastructure and Communities) provide both regional and statewide strategic approaches to mitigation.[127]. A priority of the program will be to leverage funds with supplementary funding sources (at the federal, regional, state, local, private, or non-profit level) in order to maximize efficiency and efficacy of recovery efforts. Moreover, consideration of ongoing recovery funds and activities will streamline the recovery process, support comprehensive recovery, and limit redundancy of activities.

[127] NEMA, 2019. Nebraska Emergency Management Agency Annual Report 2019. Retrieved at: https://nema.nebraska.gov/sites/nema.nebraska.gov/files/doc/2019_annual_report_web.pdf

DED will continue to prioritize stakeholder engagement during the CDBG-DR program launch and implementation. DED commits to actively consulting impacted local governments, public housing authorities, and Tribal Nations to ensure the appropriate implementation of this Action Plan.

5 PROGRAM DESIGN

5.1 INFRASTRUCTURE

This section introduces Nebraska's CDBG-DR Infrastructure Match Program. Consistent with the data HUD used in determining Nebraska's allocation amount and the findings of the Unmet Needs Assessment (Section 2), Nebraska proposes investing a considerable portion of its allocation toward unmet infrastructure needs. This distribution is consistent with the HUD data which indicated that infrastructure damage was more significant than housing damage.

The 2019 disasters, which wreaked havoc on Nebraska, signaled a new reality of extreme weather events that occur with increased frequency and destructive power. They also signaled the need to rebuild communities in a way that will mitigate against future risk and increase resilience. The Infrastructure Match Program (IMP) is focused on designing and implementing projects that will strengthen and build more resilient communities driven by the needs, opportunities and strategies to mitigate future impacts throughout the state. Projects under the Infrastructure Match Program will implement mitigation and resilience measures to protect against future hazards.; including, but not limited to, those projects receiving FEMA PA and HMGP funding. Other infrastructure projects may be considered where CDBG-DR funding is awarded to support other funds. Aligned with the CDBG-DR program priorities (Section 4) the state will work to actively identify projects that:

- Emphasize green infrastructure,[128]
- Increase capacity for resilience by upgrading stormwater and drainage infrastructure,
- Demonstrate a tie to housing recovery,
- Align with local planning efforts, and
- Align with needs outlined in the UNA (Section 2) and Nebraska's Baseline Conditions and Impact Assessment Report.[129]

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DED will implement infrastructure activities that focus on benefitting LMI populations in order to meet the overall 70 percent low-to-moderate income benefit level applicable to the entire grant. Infrastructure projects that benefit LMI populations will be prioritized, as reflected in the program's scoring criteria (see Applicant Scoring below). DED will seek to fund infrastructure activities that avoid creating a disproportionate impact on vulnerable populations and create opportunities to address economic inequities faced by local communities.

DED and its partners have identified the following categories with unmet needs:

- **Roads and Bridges:** Foundational to transportation in Nebraska, enables residents to access jobs, schools, food and other daily supplies, medical services, and social networks.

[128] Green infrastructure is defined as "...the range of measures that use plant or soil systems, permeable pavement or other permeable surfaces or substrates, stormwater harvest and reuse, or landscaping to store, infiltrate, or evapotranspirate stormwater and reduce flows to sewer systems or to surface waters" (Section 502 of the Clean Water Act).

[129] See Section 1.3 for additional information on Nebraska's Baseline Conditions and Impact Assessment Report.

- **Water Control Facilities**: Performs critical flood control, stormwater management, irrigation, navigation, erosion control, and critical to the safety and economy of Nebraska.
- **Buildings and Equipment:** Support the wellbeing of the community, provides government services, fosters arts and culture, supports the health and safety of the community, and cultivates community education.
- **Utilities:** Includes power service, water service, and sewer service; the lifelines to Nebraska's communities.
- **Parks and Recreational Facilities:** Core component of restoring the quality of life in communities throughout the state.

The above categories and gaps identified in this Action Plan will assist in identifying projects for funding through the Infrastructure Match Program.

~~5.1.1~~ SCORING CRITERIA

5.1.1 ~~DED AND~~

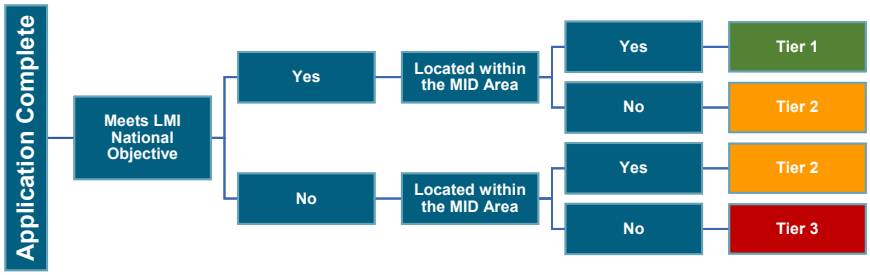
In coordination with NEMA, DED will review projects using the Infrastructure Match Program scoring criteria. This review process will verify that:

- PA-funded projects will directly address damage caused by DR-4420 and
- HMGP-funded projects will mitigate hazards in the counties declared under DR-4420.

The scoring criteria emphasizes program priorities, including projects within the HUD-defined MID and projects that benefit LMI populations. The first step to project review will be classifying applications in the following three tiers (see Figure 5-1):

- **Tier 1**: Project will be implemented in a HUD-defined MID area and meets the LMI National Objective.
- **Tier 2**: Project will be implemented in a HUD-defined MID area OR meets the LMI National Objective.
- **Tier 3**: Project is not located within the HUD-defined MID and does not meet the LMI National Objective.

Figure 5-1: Infrastructure Match Program Scoring Criteria Tier Determination



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Approval for projects in Tier 1 and Tier 2 will be prioritized to ensure that there is sufficient progress to meet LMI and MID spending requirements. Upon receipt of applications and prior to applying any other scoring criteria, all submissions will be categorized into Tier 1, Tier 2, or Tier 3. Each tier will be scored independently. Tier 1 applications will be recommended for an award before Tier 2 applications are considered. Tier 3 applications will not be considered until the program has reviewed all Tier 1 and Tier 2 projects. At the state-level, DED will monitor the overall DR program budget to maintain sufficient progress in meeting these spending targets for the full life of the grant.

While reaching HUD-defined MID areas and LMI populations remain the program's highest priorities, additional scoring criteria will be used to make funding determinations within each tier. All applications will be reviewed against the following scoring criteria:

- **Cost per Beneficiary**: The total project cost is considered in proportion to the total projected beneficiary population. Projects located in communities where there was extensive damage, and the local cost share per capita is higher, will be prioritized.
- **Cost Reasonableness**: Project costs in nature and amount do not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the cost. Cost reasonableness will be verified based on analysis conducted by NEMA during review of applications for FEMA-funded programs.
- **Support to Local Housing Recovery**: Project has a demonstrable tie to housing recovery needs.
- **Project Readiness**: Project is feasible, has a reasonable timeline for implementation, and has made demonstrable progress under current funding (i.e., project readiness). This criterion also takes into account environmental review and stakeholder support.
- **Non-Federal Cost Share**: Project represents a significant proportion of the applicant's non-federal cost share.
- **Project Alignment:** Project aligns with other resiliency projects and state policy objectives, regional collaboration, and ecosystem restoration.

Outreach to the applicants with projects that meet MID and LMI criteria will be implemented to support meeting these program priorities. Project budgets will also be reviewed by NEMA and DED to ensure cost reasonableness, including a review of existing cost analyses performed for the project's PA and HMGP applications. In particular, the cost of resilience measures will be evaluated to verify that any additional costs are reasonable and justified based on potential exposure to future hazards.

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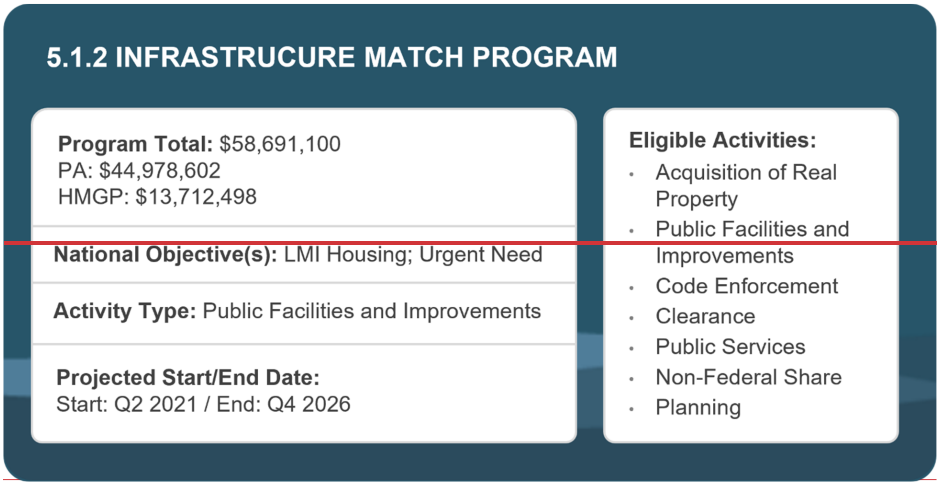
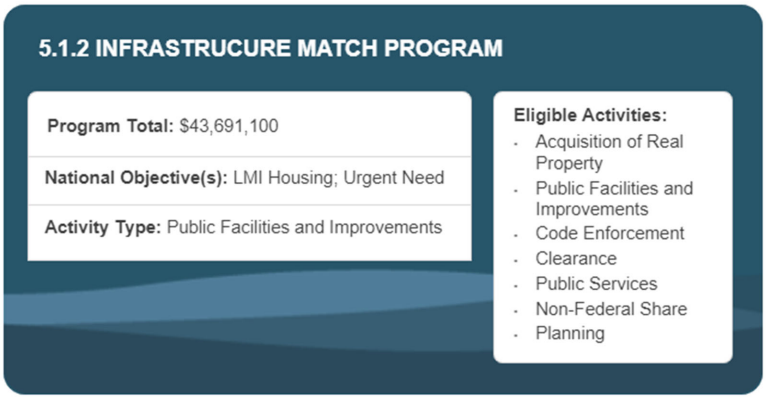
5.1.2 INFRASTRUCTURE MATCH PROGRAM





Note: For the purposes of this program DED defines "Public Facilities" to be inclusive of roads and bridges, water control facilities (stormwater management), buildings and equipment, utilities, and parks and recreational facilities (as outlined ~~on page 70~~in Section 2.5.1).

CONNECTION TO UNMET NEEDS

Winter Storm Ulmer and the subsequent flooding caused severe damage to the state's infrastructure systems and created cascading impacts across many sectors. Infrastructure damage was widespread, with 84 out of 93 counties impacted, reporting damage to roads, bridges, levees, dams, stormwater systems, and many other critical infrastructure facilities. Through the LTRGs, DED worked with local communities to ascertain unmet needs, including those for stormwater systems. As of the date of the release of this Action Plan, estimated

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repair costs to infrastructure damage exceed $640 million, but the number is thought to be significantly higher, as full data on flood control works is not yet available. Funding will be administered to disaster-impacted areas to both address direct impacts from DR-4420 and to mitigate the impacts of future disasters.

Eligible Area

Projects must be located within the DR-4420 FEMA declared areas.

Eligible Applicants

All entities that are eligible for FEMA PA and FEMA HMGP may be eligible for the Infrastructure Match Program. These entities include, but are not limited to:

- Local governments;
- State agencies and authorities;
- Public Schools (K-12);
- Universities;
- Other local program applicants eligible to receive federal recovery funds, including eligible private non-profit organizations.

DED and NEMA will use the above-described application review process that leverages the tier system and scoring criteria to make funding determinations.

PROGRAM ADMINISTRATION

The program will be administered by DED in partnership with NEMA. The program applicant will enter into a subrecipient agreement with DED for selected projects.

Administering Entities

Nebraska Department of Economic Development

DED will oversee all activities and expenditures in connection with the CDBG-DR funds. The State's responsibilities include, but may not be limited to:

- Review projects for CDBG-DR project eligibility in accordance with 24 CFR §570 and the Federal Register Notice and approve match awards (i.e., "tie back" to DR-4420),
- Determine project portion/eligible expenses for match, and
- Monitor projects to meet HUD requirements.

The State will prepare an Infrastructure Program Monitoring Plan which will be outlined in the State's CDBG-DR Manual. DED will ensure that the program meets all requirements, including but not limited to: ties to the disaster; eligible activities; national objectives; procurement regulations; and compliance and cross-cutting requirements (e.g., fair housing, labor standards, nondiscrimination, and environmental regulations).

DED staff will provide technical assistance to subrecipients (SRs) to meet these requirements as needed. DED will identify priority projects (formerly known as Project Worksheets) for match based on reporting on project obligation and draw status provided by NEMA.

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FEMA PA and HMGP work, which is sometimes initiated before CDBG-DR is awarded, will be reviewed by DED to determine, in consultation with HUD, what eligibility requirements remain. All projects must comply with applicable federal and state laws and regulations and effectively meet project goals.

Nebraska Emergency Management Agency

DED will work with NEMA to administer grants and help ensure that HUD certifications and requirements are met. NEMA's responsibilities include but may not be limited to:

- Ensure that all projects submitted meet all applicable PA or HMGP program eligibility requirements, including being implemented after the date of declaration of the disaster, DR-4420;
- Ensure projects are entered into the National Emergency Management Information System (NEMIS). FEMA then approves or denies project applications, as well as amendment requests; and
- Monitor projects to meet FEMA requirements.

As projects are identified and approved for the CDBG-DR Match, DED and NEMA will conduct coordination meetings to determine the current phase of the project, eligible scope, and local cost share. NEMA will also assist in communicating any and all HUD and State compliance documentation to applicants.

NEMA is responsible for processing and approving drawdown requests under the FEMA PA and HMGP programs (the federal share) requiring local cost shares. Where CDBG-DR is used for the local match, DED and NEMA will coordinate closely on the timing of draw requests, document sharing, and payment schedules to ensure eligible invoices are paid in a timely and compliant manner. NEMA is responsible for reporting on the status of project obligations and drawdowns to DED, so priority projects can be identified.

The ultimate responsibility to meet CDBG-DR requirements remains with DED.

Nebraska Investment Finance Authority

DED will work with NIFA to identify any current community development needs and opportunities that increase resilience and housing recovery throughout project evaluation.

Program Objective and Description

The overarching goal of the Infrastructure Match Program is to support local jurisdictions with infrastructure activities related to recovery from DR-4420.

Many federal programs require local governments to pay a share of the cost of a project, called the *local share* or *match*. In the aftermath of a disaster, the match requirements can be burdensome on grant recipients with limited resources who have been overwhelmed by emergency and recovery work and further weakened by lost government revenues. The Infrastructure Match Program will help alleviate this burden.

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DED has evaluated current FEMA PA projects to identify those that will directly impact LMI communities. It is the intent of DED to continue to vet the LMI projects to further evaluate their eligibility under CDBG-DR.

The portion of funds applied as match for any project must meet CDBG-DR eligibility requirements in addition to the requirements of the federal and state agency administering the project. CDBG-DR funds may be used to fund improvements to PA or HMGP funded projects that demonstrate an unmet recovery need remains, that other avenues for funding have been exhausted, and that the project is critical to restoring and making the community more resilient. The local match is determined by the extent of damage as a result of the disaster (DR-4420). As per Table 5-1, the federal/local cost-share ratio for FEMA PA is 90% in federal funds and 10% state or local funds. Under FEMA regulations, HMGP is a 75-:25 cost share program. For communities classified as small and impoverished (SIC), a greater federal match of 90-:10 is permitted.

For projects with actual costs between 90% and 100% of the original project budget, the CDBG-DR Match will reimburse actual costs remaining for the applicant.

FEMA HMGP, unlike PA, is a fixed budget program; so, if there are cost overruns in a project, there are generally not additional FEMA funds available to cover the additional costs. CDBR-DR Match may be available to cover additional costs.

Table 5-1: Nebraska DR-4420 Match Requirements for Federal Programs

Federal Agency	FEMA Section	Category of Work	Program	Type of Work	Federal Cost Share[130]	Local Cost Share
FEMA	Section 407	A	PA: Debris Removal	Emergency	90%	10%
FEMA	Section 403	B	PA: Emergency Protective Measures	Emergency	90%	10%
FEMA	Section 403	B	PA: Sheltering and Temporary Essential Power	Emergency	90%	10%
FEMA	Section 406	C-G	PA: Public Assistance and Mitigation	Permanent	90%	10%
FEMA	Section 428	C-G	PA: Public Assistance Alternative Procedures	Permanent	90%	10%

[130] On May 28, 2021, President Biden made additional disaster assistance available to the State of Nebraska by authorizing an increase in the level of Federal funding for FEMA Public Assistance projects as a result of Winter Storm Ulmer (DR-4420), thereby reducing the unmet need for CDBG-DR funds to support local cost share requirements. See https://www.fema.gov/press-release/20210528/president-joseph-r-biden-jr-amends-nebraska-disaster-declaration.

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Federal Agency	FEMA Section	Category of Work	Program	Type of Work	Federal Cost Share[130]	Local Cost Share
FEMA	N/A	N/A	PA: Direct Administrative Costs	N/A	90%	10%
FEMA	N/A	Z	PA: State Management Costs	N/A	100%	0%
FEMA	Section 404	N/A	HMGP	Mitigation	75%	25%

Public Assistance Program 'Local Match'

As a result of the damage sustained in 2019 disasters, DED has allocated CDBG-DR funding to administer and assist local entities with the match share associated with eligible projects under the FEMA PA categories C-G (permanent repair) to date in the HUD-defined MID counties. For allocations by programs, see Section 3. These FEMA PA categories include:

- Category C: Roads and Bridges
- Category D: Water Control Facilities
- Category E: Buildings and Equipment
- Category F: Utilities
- Category G: Parks, Recreational Facilities, and Other Facilities

As part of its process for its programs, FEMA validates that projects are storm related and calculates the reduction for insurance, which helps reduce the duplication of benefit (DOB) issue. DED, through its review of projects and supporting documentation, will ensure that projects are CDBG-DR eligible and that DOB does not occur.

~~While the PA Program has many applicants across the state, DED is paying close attention to applicants who provide services to vulnerable populations and entities that provide in-kind services that benefit housing and community recovery. While these entities may not have large amounts of PA funding, they provide critical resources to their communities. Table 5-2 summarizes the best available non-federal PA cost share for the HUD-defined MID areas.~~

~~***Table 5-2: Total PA Local Match for HUD-defined MID Counties[131]***~~

~~Eligible Counties~~	~~Number of Eligible Applicants~~	~~Best Available Total Project Cost~~	~~Best Available Non-Federal Cost Share (25%)~~
~~Dodge County~~	~~34~~	~~$30,106,311.02~~	~~$5,653,421.98~~
~~Douglas County~~	~~18~~	~~$38,248,470.63~~	~~$7,172,678.88~~
~~Sarpy County~~	~~7~~	~~$7,809,915.70~~	~~$1,466,085.28~~
~~**Total**~~	~~**59**~~	~~**$96,759,811.62**~~	~~**$24,189,952.87**~~

Hazard Mitigation Grant Program

~~[131] NEMA PA Datasets; Estimates current as of 04/15/2020.~~

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As result of the damage sustained from the 2019 disasters, DED has allocated CDBG-DR funding to administer and to assist local entities with the match share associated with eligible projects under FEMA HMGP. For allocations by programs, see Section 3.

DED, through its coordination with NEMA, will ensure that projects meet CDBG-DR eligibility requirements in addition to the requirements of FEMA HMGP. Activities may include but are not limited to:

- Structural elevations,
- Flood risk reduction, and
- Infrastructure retrofits.

As projects are evaluated through the HMGP process, DED will pay close attention to those that benefit housing recovery and address long-term housing needs throughout communities. The HMGP process is in its initial stages at this time and will be rolled out over the coming months from the date of release of this report. Additional information about HMGP is available in Sections 2.5.1.6 and 2.5.4.1.3.

~~Table 5-3 summarizes the best available non-federal HMGP cost share for the HUD-defined MID areas.~~

~~Table 5-3: Total HMGP Match for HUD-defined MID Areas~~[132]

~~Eligible Counties~~	~~Number of Eligible Applicants~~	~~Best Available Total Project Cost~~	~~Best Available Non-Federal Cost Share (25%)~~
~~Dodge County~~	~~3~~	~~$6,459,842.42~~	~~$1,614,960.86~~
~~Douglas County~~	~~2~~	~~$24,045,155.00~~	~~$11,011,288.75~~
~~Sarpy County~~	~~1~~	~~$908,791.00~~	~~$227,197.75~~
~~Total~~	~~6~~	~~$24,953,946.00~~	~~$11,238,486.50~~

Award

The maximum award for the Infrastructure Match Program is $~~10~~25,000,000.

5.2 HOUSING

The 2019 disasters caused widespread damage to homes throughout the state, with significant impacts in HUD-defined MID areas. However, the majority of the damage was minor, with over 50% of the houses that were damaged falling into HUD's "minor" damage categories. Housing programs have been designed based on unmet needs and local priorities, as identified through feedback from long-term recovery groups and local outreach. These priorities are reflected in the housing programs outlined in this Action Plan along with activities DED and its partners will

[132] ~~NEMA HMGP Datasets; Estimates current as of 04/15/2020.~~

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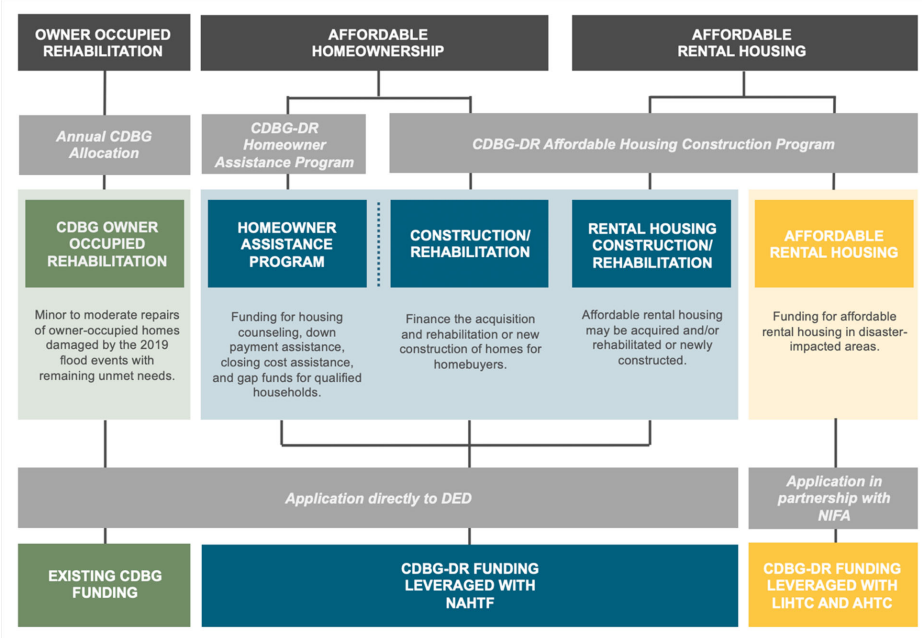
implement using other funding sources. Refer to Figure 5-2~~Figure 5-2~~ for a summary of housing programs outlined in the CDBG-DR Action Plan.

Figure 5-2: Summary of Nebraska's Proposed Housing Recovery Programs



Through the federally guided and Nebraska Housing Recovery Support Functions (RSFs), housing priorities were developed based on the needs as communicated by local long-term recovery groups and through outreach efforts. These priorities are reflected in the housing programs outlined in this Action Plan along with activities DED and its partners will implement using other funding sources. Through the federally guided Housing RSF, HUD developed a Housing Impact Assessment that identified the following general housing issues:[133]

- **There is an increased need for affordable rental housing stock, particularly for affordable and accessible units.** DED will use CDBG-DR funds to leverage existing resources: LIHTC, Nebraska Affordable Housing Tax Credits (AHTC), CDBG, HOME, National Housing Trust Fund (HTF), and the Nebraska Affordable Housing Trust Fund (NAHTF) to increase the supply of affordable rental housing stock. Preference will be given to projects that target households earning less than 50% of AMI.
- **Rebuilding needs to incorporate resilience standards.** DED will incorporate sustainability and resilience requirements within its CDBG-DR Affordable Housing Construction Program, to include restricting building activity within the 100-year floodplain

[133] Housing Recovery Support Function, "Nebraska Housing Needs Assessment, DR-4420," August 29, 2019.

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and requiring elevated utilities and floodproofing in flood-prone areas. Additionally, DED will give preference to permanent structures over mobile home replacements for the estimated 200 mobile homeowners who lost their homes.

- **Impacted rural areas need more workforce housing, especially near rural employment hubs, to support agricultural workers and reduce commute times.** DED will partner with NIFA to develop workforce housing in the areas that experienced significant flooding through the joint HOME/HTF and LIHTC Program. CDBG-DR funds will be used as gap funding for LIHTC developments in impacted communities, incentivizing developers to target these communities.
- **Smaller communities with limited capacity will need assistance in housing rehabilitation and new construction.** For example, Boyd County, with 70 damaged homes, has the highest number of FEMA registrants of all counties per capita. DED, in partnership with NIFA, will incorporate the CDBG-DR Affordable Housing Construction Program into the Collaborative Resource Allocation for Nebraska (CRANE) Program. The CRANE Program is a joint application within the LIHTC program and provides additional technical assistance and financial support for difficult-to-develop projects supported by local jurisdictions. DED and NIFA will engage with rural impacted communities using the existing Nebraska Housing RSF and VOAD network to identify potential partnerships specific to DR-4420 disaster recovery that will give priority to these difficult-to-develop projects. NIFA and DED accept applications in the concept stage and then work closely with communities and developers to acquire the necessary permitting, approvals, and funding to begin construction.

As summarized in Table 2-8~~Table 2-8~~ of the Unmet Needs Assessment, DED will prioritize projects addressing DR-4420 in its existing CDBG Owner-Occupied Rehab Program in 2020 and 2021 to address minor to moderate homeowner repair needs. Additionally, the 2021 NAHTF Program will prioritize projects related to DR-4420 disaster recovery needs in the annual funding cycle. New construction and rehabilitation of rental and homeowner projects are eligible NAHTF activities.

5.2.1 SCORING CRITERIA

As DED reviews projects for funding under the Housing Programs, the Housing Programs scoring criteria will be applied to assist with the selection of projects that meet overall CDBG-DR objectives.

The scoring criteria will ensure that awards address program priorities, including projects within the HUD-defined MID and projects that benefit LMI populations. The first step to project review will be classifying applications in the following three tiers (see Figure 5-3):

- **Tier 1**: Project will be implemented in a HUD-defined MID area and meets the LMI National Objective.
- **Tier 2**: Project will be implemented in a HUD-defined MID area OR meets the LMI National Objective.
- **Tier 3**: Project will not be implemented in a HUD-defined MID area and does not meet the LMI National Objective.

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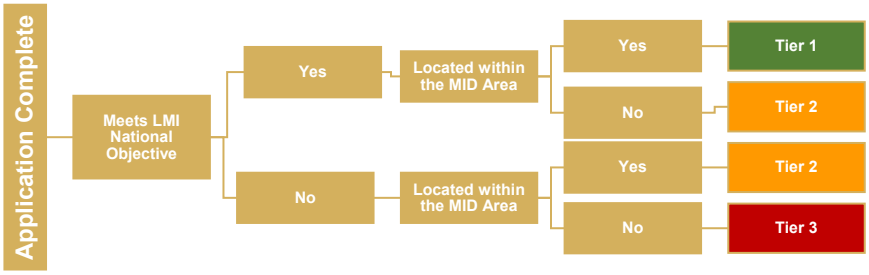
Figure 5-3: Housing Program Scoring Criteria Tier Determination



Approval for projects in Tier 1 and Tier 2 will be prioritized to ensure that there is sufficient progress to meet LMI and MID spending requirements. Upon receipt of applications and prior to applying any other scoring criteria, all submissions will be categorized into Tier 1, Tier 2, or Tier 3. Each tier will be scored independently. Tier 1 applications will be recommended for an award before Tier 2 applications are considered. Tier 3 applications will not be considered until the program has reviewed all Tier 1 and Tier 2 projects. At the state-level, DED will monitor the overall DR program budget to maintain sufficient progress in meeting these spending targets for the full life of the grant.

While reaching HUD-defined MID areas and LMI populations remain the program's highest priorities, additional scoring criteria will be applied to make funding determinations within each tier based on the following program priorities:

- **Cost per Beneficiary**: The total project cost is considered in proportion to the total projected beneficiary population.
- **Cost Reasonableness**: Project costs in nature and amount do not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the cost. Cost reasonableness will be verified based on analysis conducted by NEMA during review of applications for FEMA-funded programs.
- **Prioritization of Disaster Survivors**: Project indicates a clear methodology for prioritizing disaster survivors in their application, which may include direct outreach and marketing to reach disaster-impacted populations.
- **Prioritization of Vulnerable Populations**: Project indicates a clear methodology for prioritizing vulnerable populations in their application, which may include direct outreach and marketing to reach vulnerable populations.
- **Mitigation and Resilience**: Project incorporates mitigation and resilience measures to protect against future hazards, though funding for project activities exclusively focused on mitigation and resilience will be capped at 25% of total project costs.
- **Resource Coordination**: Project is structured to support resource coordination among housing programs (e.g., Homeowner Assistance Program supports homeowners in receiving housing built under the Affordable Housing Construction Program).
- **Public Housing**: Project directly addresses the need of a PHA.

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DED will perform outreach to prospective applicants that represent MID communities and LMI populations to help meet these allocation requirements.

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5.2.2 AFFORDABLE HOUSING CONSTRUCTION PROGRAM

Connection to Unmet Needs

DED will allocate CDBG-DR funds to construct approximately 320 to 360 affordable housing units through the Affordable Housing Construction Program. This program will prioritize projects that address unmet needs in HUD-defined MID areas, LMI populations, vulnerable populations, and public housing needs, as is reflected in the scoring criteria (see section 6.2.4). ~~-~~As detailed in Table 2-8~~Table 2-8~~ of the Unmet Needs Assessment, this is one of several programs intended to address remaining unmet housing needs within the MID areas. Funding administered under the Affordable Housing Construction Program will prioritize disaster survivors, including those individuals directly impacted by DR-4420 and indirectly impacted by the loss of affordable housing stock.

Eligible Area

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All disaster-declared counties pursuant to DR-4420.

Eligible Applicants

As further detailed below, eligible applicants will include:

- Units of local government
- Non-profit 501(c)(3) and 501(c)(4) organizations that access and use state or federal housing grants to develop affordable rental housing or affordable homeownership
- Public housing authorities
- Developers, including both non-profit and for-profit

DED will issue one or more Notices of Funding Opportunity (NOFO) for eligible entities that will describe the application and selection process in detail. Awards will be made on a competitive basis. All eligible applicants will apply directly with DED and enter into funding agreements with DED upon award.

Eligible applicants will submit applications in a competitive selection process that will leverage the program's scoring criteria to make determinations. DED will use a streamlined application review process that leverages the tier system and scoring criteria to make funding determinations.

The application forms will provide applicants an opportunity to indicate which type of housing will be provided. Applicants can submit projects that address either or both rental housing units and owner-occupied units. Applicants should verify cost reasonableness from an independent and qualified third-party architect, civil engineer, or construction manager. The UNA indicates that owner-occupied units experienced significantly more damage than rental units, though the concentration of owner- versus renter-occupied units differs based on location (see Table 2-3). DED will consider applications on the basis of how they align with the unmet needs of the target community that would be assisted through the funding agreement.

Priority Applicants

Homeownership: Priority will be given to projects that provide homes for LMI homeowners whose homes were severely impacted by the 2019 flood events, DR-4420. Projects within the HUD-defined MID will also be prioritized.

Rental Housing: Priority will be given to projects that benefit LMI households whose residences experienced substantial damage from the 2019 disasters. Additionally, projects that provide housing and/or supportive services to vulnerable populations, including persons with disabilities, seniors, and homeless, or households at risk of homelessness will be prioritized. Projects within the HUD-defined MID will also be prioritized.

Program Administration

DED will implement the program within the HUD-defined MID and outside the HUD-defined MID to implement specific projects if the need is identified in one of two ways.

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For most development activities, DED will directly award funds (typically in the form of a loan) to developers, including non-profit or for-profit entities. In other cases, local government, PHA, and nonprofit applicants may be designated as subrecipients. Subrecipients will operate as the primary administrative entity of their respective grants from DED, in turn sub-awarding CDBG-DR funds to the actual ownership entity developing the housing (typically in the form of a loan).

In all cases, DED will maintain regular oversight and reporting with all funded entities (whether designated from a regulatory standpoint as developer or subrecipient). DED will conduct regular auditing and monitoring of all counterparties to ensure that the program's policies and procedures are being followed appropriately.

Administering Entity

DED will directly administer funding awards to developers. In the case of subrecipients, which may include local governments, non-profit 501(c)(3) and 501(c)(4) organizations, and public housing authorities, DED will administer its grant to the subrecipient while subrecipients will manage the sub-award to developers on a day-to-day basis. Developers, whether funded directly by DED or via a subrecipient, will then be responsible for identifying disaster survivor populations requiring affordable housing, developing the housing, and selecting eligible tenants for rental units and buyers of homeownership units.

Program Objective and Description

The primary purpose of this program is to increase affordable housing supply in flood-impacted areas, including affordable rental housing and affordable homeownership for low- and moderate-income households that lost their homes in DR-4420. Per the February 9, 2018, Federal Register Notice, funds may be directed to new construction or rehabilitation costs if the activities clearly address affordable housing needs, including rental housing, resulting from the impacts of DR-4420. Administered by DED, the Program includes two application processes across three "subprograms." CDBG-DR funds will be distributed as eligible projects are identified across these different funding paths.

The first program path includes a joint application with NIFA where applicants apply simultaneously for an award of LIHTC and gap financing from CDBG-DR After the allotted CDBG-DR funds are expended, they will not be available for additional LIHTC funding rounds, even if proposed within the grant period. This application process also includes the Collaborative Resource Allocation for Nebraska (CRANE) program, which includes technical assistance for difficult to develop projects and those in small communities.

While potential rental housing applicants are encouraged to leverage both funding sources when feasible, they are not required to apply for both LIHTC and CDBG-DR funding to be considered eligible for CDBG-DR funding. So the second application path will be through DED directly for multifamily rental projects that do not include LIHTC as a funding source. In this application, DED will entertain applications directly from developers or from non-profits, units of local government, and public housing authorities acting as subrecipients.

Finally, the third program path is open to nonprofit housing developers or local government subrecipients but will provide funding for the development of affordable for-sale housing, that is

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homeownership production. Owing to the fundamental differences in rental vs. homeownership production, DED will issue a separate program guide and one or more NOFOs specific to homeownership production. DED may also provide technical assistance to applicants under any of these programs as appropriate.

Together across these different funding paths DED will create a CDBG-DR funding pool for projects specific to DR-4420 recovery, including affordable rental housing production within impacted areas and homeownership programs for LMI homeowners who lost their homes in the 2019 floods.

In so doing, DED will leverage CDBG-DR funding with Nebraska's other housing programs, including LIHTC, HOME, HTF and NAHTF dollars. As with any application for funding, DED seeks to ensure the most appropriate resource is paired with the project need and outcome. Technical assistance is expected to facilitate this effort. Furthermore, because the federal regulations associated with CDBG-DR may not be able to assist all flood-impacted households (e.g., unable to meet the income requirements), the 2021 NAHTF application cycle will prioritize projects that serve flood-impacted areas that address unmet needs that cannot benefit through the CDBG-DR program.

Affordable Rental Housing

Application 1: In Partnership with NIFA

DED will coordinate with NIFA to leverage CDBG-DR with LIHTC and AHTC to increase the supply of affordable rental housing in impacted areas. DED anticipates this program will be coordinated with NIFA's 2020/2021 Qualified Allocation Plan. DED will leverage HOME, HTF, and NAHTF programs through the joint NIFA/DED program.

Additionally, DED will use CDBG-DR funding within the CRANE program to assist areas impacted by the 2019 flood events with difficult-to-develop affordable rental projects. For years, DED and NIFA have partnered through the CRANE program. Under this partnership, unique housing projects supported by the local community apply for technical assistance and grant funding outside of the competitive, joint DED/NIFA LIHTC application cycles. As done for all applicants to the CRANE program, applicants will receive technical assistance from DED and NIFA to support the proposed development of affordable rental housing.

Application 2 & 3: Application to DED Directly

DED will issue one or more CDBG-DR funding rounds for non-LIHTC rental and affordable homeownership projects open to public housing authorities, units of local government, eligible non-profits, and for-profit developers of affordable housing in impacted communities to address unmet housing needs related to DR-4420. To address affordable rental housing needs not utilizing LIHTC and to leverage NAHTF and other resources alongside CDBG-DR funding, the CDBG-DR funding rounds may utilize the existing NAHTF annual application process where affordable rental housing is eligible. However, this does not imply that the two resources will necessarily be paired within a single application to compete against each other, rather that the application will allow the applicant to designate the need so the appropriate resource(s) can be identified. This approach

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allows applicants to complete a more familiar application process while also accessing a new funding resource.

Priority will be given to:

- Public housing authorities who incurred damage in the 2019 floods,
- Affordable rental housing damaged in the 2019 floods, and
- Projects that provide affordable rental housing and supportive services to vulnerable populations, including persons with disabilities, seniors, and homeless, or households at risk of homelessness.

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Affordable Homeownership

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Providing a funding opportunity for non-profit organizations and supporting jurisdictions to build or substantially rehabilitate homes for LMI homeowners who lost their homes, assist renters in becoming first-time homebuyers, and assist in rebuilding severely impacted communities in a sustainable manner, DED will develop a new application to access CDBG-DR funding. Wherever reasonably possible, DED intends to make use of established, familiar policies and procedures to enable expedient implementation. Serving households up to 80% Area Median Income (AMI), CDBG-DR resources will likely address unmet needs among the most vulnerable homeowners.

In addition, to address such needs of disaster-impacted homeowners, applicants to the NAHTF program for the 2021 (and, if the need/demand is there, 2022) application cycle will receive priority. Households up to 120% AMI are eligible under the NAHTF program.

Leveraging CDBG-DR funding, NAHTF, and other funds to construct new homes for sale to households in impacted areas, will provide affordable housing opportunities, while also making resources available to households that may not qualify as LMI. There are several neighborhoods and rural communities in Nebraska that were substantially impacted by the 2019 floods and may not have the resources or competitive advantage in a standard housing application to address unmet needs.

Award

The maximum award for the Affordable Housing Construction Program is $2,000,000, and is not to exceed $150,000 per housing unit constructed. The $150,000 award cap for each household includes all hard and soft construction costs.

Affordability Requirements

Rental units will be restricted to households earning less than 80% of AMI and will be kept affordable for a 15-year period for multi-family rental projects involving rehabilitation and a 20-year period for new construction multi-family rental units. Insomuch as possible, the affordability period will run concurrently with the affordability requirements associated with other funding sources (e.g., LIHTC). Homeownership will be restricted to households earning less than 80% of AMI at the time of application and purchase of the home and must remain affordable for five (5) years.

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Other Considerations

Structures within the one percent annual chance (100-year) floodplain will not be eligible.

Estimated Benefit

The program is anticipated to build 320 to 360 affordable housing units in flood-impacted counties, increasing affordable housing supply for workers needed to aid in recovery and displaced households.

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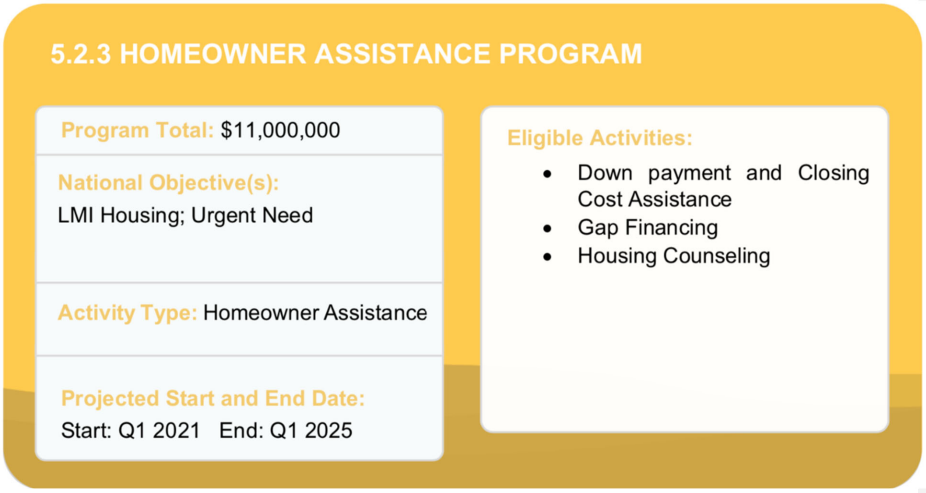
5.2.3 HOMEOWNER ASSISTANCE PROGRAM



~~Connection to Unmet Needs~~

The primary purpose of the Homeowner Assistance Program ~~is~~was to assist LMI households who lost their homes in the 2019 flooding and must find new housing. ~~Unlike~~However, in the ~~Affordable Housing Construction Program, this program will deliver non-construction forms~~development of ~~assistance. Disaster survivors who experienced damage to their home, which they owned or rented, will be~~ the ~~target recipients of all activities implemented under the Homeowner Assistance Program.~~

~~Eligible Area~~

~~All disaster-declared counties pursuant to DR-4420.~~

~~Eligible Applicants~~

- ~~Units of local government~~
- ~~Non-profit 501(c)(3) and 501(c)(4) organizations~~

~~DED will issue a Notice of Funding Opportunity (NOFO) for eligible entities that will describe the application and selection process in detail. Eligible applicants will submit applications in a competitive selection process that will leverage the program's scoring criteria to make determinations. DED will use a streamlined application review process that leverages the tier system and scoring criteria to make funding determinations.~~

~~Awards will be made on a competitive basis. All eligible applicants will apply directly with DED and enter into subrecipient agreements with DED upon award.~~

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Priority Applicants

Applications that serve LMI populations within the HUD-defined MID will be prioritized. Applications from entities working in program, coordination with a project funded under the and outreach efforts indicate there is no interest in a funding resource for a standalone non-construction housing program. Rather, the feedback from the housing community was that there was a shortage of housing available that would meet the criteria for funding. The Housing Production Program within the Affordable Housing Construction Program (Section 5.2.2) will also be given priority. Projects addressing the needs of eligible homeowners whose homes were destroyed in the 2019 flood event will be given highest priority. Impacted renters earning less than 80% of AMI will also have priority.

Program Administration

DED will implement the program by providing grants to applicants to implement non-construction forms of assistance. These grants may be executed in the form of subrecipient agreements (SRAs) with eligible applicants within the HUD-defined MID and outside the HUD-defined MID to implement specific projects if the need is identified. DED will maintain regular oversight and reporting with all subrecipients, who will operate as administrative entities of their respective grants. Subrecipients will undergo regular auditing to ensure that the program's policies and procedures are being followed appropriately.

Administering Entity

Nebraska Department of Economic Development

Program Objective and Description

To address the needs of homeowners who lost their homes in the 2019 floods, and to support affordable homeownership for low- and moderate-income renters impacted by the floods, DED will provide CDBG-DR funding specific to this need. DED anticipates applications will be available in 2021 and 2022, and may be incorporated into the annual NAHTF application cycle.

Grants will be made to units of local government or non-profit organizations to provide housing counseling, training/homeowner education, homebuyer program delivery, and financial management services, including homebuyer down paymentAHCP) addresses the affordability gap with downpayment and closing cost assistance. The program will also provide forgivable loans to LMI homeowners who lost their homes in the disaster and have insufficient funds from other sources. The program is intended to primarily serve LMI populations, however projects that serve non-LMI populations may be considered under Urgent Need. Where appropriate, participating organizations will coordinate with developers funded through the Affordable Housing Construction Program to match displaced homeowners and prospective homeowners with new housing unitsMore affordable housing is needed in order to meet the housing needs of LMI Nebraskans, and the programs within AHCP address that need. Therefore, APA3 eliminated HAP, reallocating the planned $11,000,000 budget to AHCP. See also discussion at Section 2.2.2.5.

Award

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The maximum award for the Homeowner Assistance Program is $2,000,000. The amount of assistance available to the individual will depend on the financing affordability analysis of the applicant.

- Renters will be eligible for housing counseling as well as closing cost and down payment assistance.
- Homeowners whose homes were destroyed will also be eligible for gap funding (equivalent to the difference between the cost of the home, and the amount received from FEMA, insurance, proceeds from the sale of the former home and lot, and charitable donations), along with down payment assistance and closing cost assistance.

The maximum grant amount to a homebuyer will be $150,000, which includes all costs directly relating to down payment assistance, closing cost assistance, and gap financing. Housing counseling services will be monitored based on the overall program award cap as an aspect of subrecipients' total budget and will not be included in the $150,000 cap applicable to homebuyers. The maximum home value cannot exceed moderate home prices for the area, as defined by DED, not to exceed median sale price of a single-family home within the county.

Affordability Requirements

The program is restricted to households earning less than 80% AMI at the time of application. Homeowners will be required to reside in their homes for a minimum of five (5) years prior to sale.

Other Considerations

Structures within the one percent annual chance (100-year) floodplain will not be eligible.

Estimated Benefit

The program is anticipated to support 100 flood-impacted homeowners and renters in purchasing a home.

5.3 PLANNING AND CAPACITY BUILDING

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Nebraska recognizes the importance of strong planning efforts to achieve ~~an~~ equitable ~~and~~, effective ~~recovery. The Planning programs described in this section are designed~~, and sustainable long-term recovery. Therefore, of Nebraska's CDBG-DR allocation, $3 million will primarily be utilized to address flood hazard vulnerabilities that led to flood damages under DR-~~,~~4420~~,~~ and ~~to~~ support an effective and resilient recovery from the disaster. This includes activities implemented in support of Risk Awareness and Resilience Planning, Housing Resilience Planning ~~activities will support sound, sustainable long-term recovery.~~, and those planning costs inherent to the development of the Action Plan (including amendments). The latter of which is allowed by HUD guidance, including, but not limited to, Notice CPD-2023-06 on Allocating Costs Between Program Administration, Activity Delivery, and Planning for CDBG-DR, CDBG-MIT, and CDBG-NDR Grantees.[134] Certain costs associated with action plan development (including amendments), however, are administrative in nature and will be so allocated.

As an element of supporting long-term recovery to impact the populations that need it most, planning activities will take into consideration the needs of vulnerable populations. This includes identifying racial, ethnic, and low-income concentrations so that the State can take steps to make sure affordable housing and other program-related impact communities accordingly.

Concerning floodplain management, ~~DNR~~NeDNR has created floodplain zoning guidance to support local governments in regulating development in the floodplain through planning and zoning (e.g., zoning code updates).

To support these efforts, planning and capacity building funded through the CDBG-DR program will follow the program priorities as outlined in Section 4, including:

- Meeting of a CDBG National Objective (benefiting LMI persons, aiding in the prevention or elimination of slums or blight, and meeting an urgent need);
- Prioritizing vulnerable populations;
- Enhancing resilience; and
- Leveraging recovery programs.

As discussed in Section 1.3, the State of Nebraska has ongoing recovery and resilience planning efforts that are helping direct recovery efforts in the state. A comprehensive evaluation of storm impacts and thorough understanding of future hazards is the basis of this Action Plan. Therefore, Nebraska's CDBG-DR allocation for planning and capacity building, $3 million will primarily be utilized to support future planning efforts related to program implementation (e.g., housing resilience, risk planning).

[134] See https://www.hudexchange.info/news/notice-cpd-23-06-on-allocating-costs-between-program-administration-activity-delivery-and-planning-for-cdbg-dr-cdbg-mit-and-cdbg-ndr-grantees/

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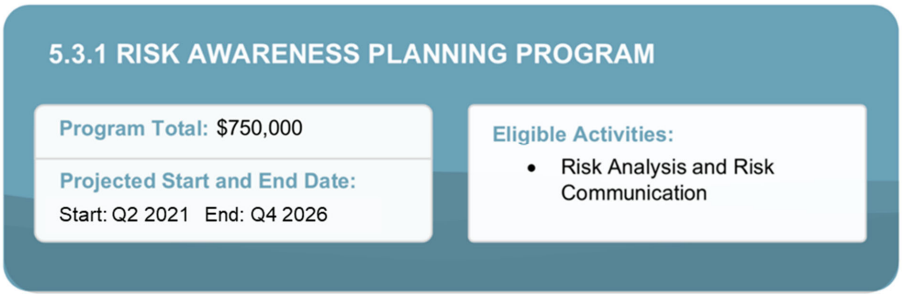
5.3.1 RISK AWARENESS & RESILIENCE PLANNING



~~PROGRAM~~

Eligible Area

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~~Eligible Area~~

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~~All disaster-declared counties pursuant to DR-4420.~~

HUD-defined and State-defined MID areas.

Administering Entities

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- DED
- ~~DNR~~

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~~DED will administer this program in partnership with DNR.~~ DED expects to select the University of Nebraska-Lincoln as a Subrecipient or procure a contractor to support implementation ~~through a competitive procurement process.~~ of these planning activities.

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Program Objective and Description

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~~Program Objective and Description~~

~~The~~ Activities in support of Risk Awareness and Resilience Planning ~~Program~~(RARP) will target areas with risk exposure, particularly those residential areas with risk exposure from private levees. ~~The~~ ~~Program~~activities will target counties that received a disaster declaration under DR-4420 and focus on flood hazard vulnerabilities that led to flood damage under DR-4420. ~~The program will educate individuals on the risk associated with private levees as water control infrastructure and provide alternative flood mitigation options to promote resilience. DED, in partnership with DNR, will allocate CDBG-DR funds to support developing an outreach plan for risk communication and consultation on alternative mitigation activities. DED will support a Whole~~

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~~Community[135] approach to implementation of the program, educating all members of the community. Funds may be used to better quantify the impacts of private levees on the damage from the~~ The overarching goal of the program is to promote comprehensive community resilience, resulting in a built environment that is more resilient to the impacts of natural disasters. The activities are intended to identify flood risk and vulnerabilities in counties that were declared under DR-4420. In support of these goals, DED may use the resulting adoption of local or regional plans, codes, and/or ordinances as scoring criteria in other CDBG-DR or other federal or state programs it administers~~2019 disasters or the potential impacts of future disasters. Additionally, funds may be utilized for risk awareness plans at both a local and regional scale~~.

~~[135] FEMA, 2011. "A Whole Community Approach to Emergency Management: Principles, Themes, and Pathways for Action." Retrieved at: https://www.fema.gov/media-library-data/20130726-1813-25045-3330/whole_community_dec2011__2_.pdf~~

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Award

Allocation: $1,000,000. The ~~Risk Awareness Planning Program~~RARP is a single grant that will be administered in its entirety by DED ~~and DNR~~. No additional subgrants will be awarded.

5.3.2 HOUSING RESILIENCE PLANNING ~~PROGRAM~~

Eligible Area

~~**Eligible Area**~~

HUD-defined and State-defined MID areas.

Eligible Applicants

All counties, municipalities, ~~and~~ economic development districts representing HUD- or State-defined MID areas~~. Subrecipients from outside of the HUD-defined MID area will not be eligible to receive funding under this program~~, and universities.

Administering Entities

- DED

DED will issue a Notice of Funding Opportunity (NOFO) for eligible entities representing communities within the HUD-defined MID area. Awards will be made on a competitive basis with the selection criteria published in the NOFO. ~~-~~This selection criteria will prioritize projects that benefit LMI populations and communities with the highest levels of damage from DR-4420.

Program Objective and Description

~~The~~ Housing Resilience Planning ~~Program~~(HRP) will support local jurisdictions and economic development districts in developing plans for housing recovery, resilience, and affordability. ~~-~~ The plans will support communities in identifying and leveraging both CDBG-DR and other resources and strategies for housing recovery, resilience, and affordability. The overarching goal of ~~the program~~HRP activities is to promote comprehensive community resilience~~. The Program is~~

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~~intended to address~~ by addressing flood vulnerabilities in counties that were declared under DR-4420.

Award

~~**Award**~~

The maximum award for ~~the Housing Resilience Planning Program~~HRP is $250,000 for project activities serving a single jurisdiction, or $500,000 for project activities serving a larger, multi-jurisdictional area.

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6 PROGRAM ADMINISTRATION

This section outlines policies and program requirements that guide CDBG-DR program administration.

6.1 GRANT ADMINISTRATION

The CDBG-DR grant will be administered by DED, through procurement contracts, or through subrecipients in compliance with all applicable laws and regulations. The State of Nebraska recognizes that it maintains ultimate responsibility for ensuring that grant management and distribution meets all CDBG-DR requirements, including grant administration implemented by third party entities. ~~Grant administration will begin after~~ HUD ~~makes the required certifications and approves the Action Plan. Upon Action Plan approval, HUD will obligate~~obligated the funds to the State of Nebraska~~.~~ after the Initial Action Plan and certifications were approved in 2021.

~~6.1.1~~6.2 ~~-~~GRANT MANAGEMENT CAPACITY

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The CDBG-DR program will provide unprecedented financial support to the State of Nebraska for the purpose of disaster recovery. In order to support management and maintain compliance, DED developed a framework for ensuring the capacity needs of administering the grant are met. This framework was presented to HUD via the CDBG-DR Financial Management and Grant Compliance Certification for States and Grantees ("Grantee Certifications Package"). Modification to positions approved in the CDBG-DR Grantee Certifications Package will require a formal amendment to the Implementation Plan (and will require HUD approval). Modification to non-key positions, however, are considered a function of operations and will be reported as a part of the regular grant reporting cycle as it affects operations.

To support scaling up DED's capacity, key staff will be trained on all program-related activities. This training will support maintaining compliance and providing a high quality of service to beneficiaries.

~~6.1.2~~6.2.1 EXPENDITURES

DED will initiate drawing down funds immediately after HUD's approval of the Action Plan in the Disaster Recovery Grant Reporting (DRGR) system. Funds will be spent within six years of the date HUD obligates the funds to DED, ~~outlined in~~ namely July 7, 2027.~~Table 5-4.~~

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~~*Table 5-4: Schedule of Estimated Expenditures by Dollar Amount*~~

Program Name	Allocation Amount	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6
Public Assistance Match Program	$49,778,602	$4,977,860.20	$9,955,720.40	$9,955,720.40	$9,955,720.40	$9,955,720.40	$4,977,860.20
Hazard Mitigation Grant Program Match Program	$13,712,498	$1,371,249.80	$2,742,499.60	$2,742,499.60	$2,742,499.60	$2,742,499.60	$1,371,249.80
Affordable Housing Construction Program	$26,000,000	$2,600,000.00	$5,200,000.00	$5,200,000.00	$5,200,000.00	$5,200,000.00	$2,600,000.00
Homeowner Assistance Program	$11,000,000	$1,100,000.00	$2,200,000.00	$2,200,000.00	$2,200,000.00	$2,200,000.00	$1,100,000.00
Planning Programs	$3,000,000	$300,000.00	$600,000.00	$600,000.00	$600,000.00	$600,000.00	$300,000.00
Administration	$5,446,900	$544,690.00	$1,089,380.00	$1,089,380.00	$1,089,380.00	$1,089,380.00	$544,690.00
CDBG-DR Funds Remaining by End of Fiscal Year	408,938,000	$98,044,200.00	$76,256,600.00	$54,469,000.00	$32,681,400.00	$10,893,800.00	$0.00

~~6.1.3~~6.2.2 AMENDMENT PROCESS

Should the needs of the state throughout the disaster recovery process change, DED will be responsible for amending the Action Plan to most effectively use the CDBG-DR funds. Amendments may include updates to the UNA, the program sections, or redistribution of funding allocations. The process required for completing a plan amendment varies based on the size of the amendment.

A substantial amendment is defined by the minimum threshold for requiring substantial amendment procedures, including:

- A change in program benefit or eligibility criteria;
- An addition or deletion of an activity; or
- An allocation or reallocation of $5 million or more.

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As appropriate, DED will be responsible for coordinating with partner agencies or jurisdictions to update the plan. All amendments will be clearly marked in the body of the plan. Moreover, at the beginning of each amended plan there will be a summary of the amendment (i.e., record of change). Substantial amendments will utilize the process for public participation as outlined in the Citizen Participation Plan (Attachment C). After finalization, the most up-to-date version of the plan will be available on the CDBG-DR public website and available upon request from DED.

~~6.1.4~~6.2.3 ADMINISTRATIVE REQUIREMENTS

The following requirements guide the administration of the CDBG-DR grant programs regarding the expenditure of funds. Additional requirements are outlined in the Program Priorities section (Section 4) and in the individual program descriptions (Section 50).

~~6.1.4.1~~6.2.3.1 Duplication of Benefits

In the administration of the CDBG-DR programs, the State of Nebraska will implement its CDBG-DR Duplication of Benefits (DOB) Policy to assure beneficiaries do not receive DOB.[136] DOB refers to a situation where a beneficiary receives assistance from multiple sources (e.g., private insurance, FEMA, NFIP, non-profits, etc.), and the total assistance amount exceeds the need for a particular recovery purpose. This ensures that beneficiaries receive assistance to the extent that the recovery need has not been fully met. In accordance with HUD Federal Register Notices of 2019, declined, cancelled, and undisbursed loans are not considered DOB. Receiving DOB could result in required repayment of duplicative funds and de-obligation of funding. DOB policies apply to any recipient of CDBG-DR funds, including homeowners, property and business owners, and local governments. Additional information regarding DOB can be found in the State of Nebraska CDBG-DR DOB Policy.[137]

[136] In accordance with Section 312 of the Robert T. Stafford Act, as amended, 76 FR 71060 published November 16, 2011, 84 FR 28848 published June 20, 2019, and 84 FR 28836 published June 20, 2019.

[137] Nebraska DED Duplication of Benefits Policy for CDBG-DR Disaster Recovery, April 2020.

~~6.1.4.2~~6.2.3.2 Pre-Award and Pre-Application Costs

Grantees of the CDBG-DR programs are permitted to charge eligible pre-award and pre-application costs incurred in response to the 2019 disasters.[138] DED is seeking reimbursement for pre-award and pre-application costs allowed under the regulation. These costs include employee salaries, employer fringe benefits, and direct operating costs. Reimbursement for these costs will be based on the individual percentage of time spent on the CDBG-DR program during a pay period by employees. In addition, DED is seeking reimbursement for pre-award costs of expanding its grants management system, AmpliFund, to incorporate the CDBG-DR funding under its service contract. DED will also seek reimbursement for pre-award and pre-application costs of procured contractors to assist in the development of the Action Plan.

~~6.1.4.3~~6.2.3.3 Program Income

DED does not anticipate generating program income throughout the duration of the grant period. If program income is generated, DED will follow the procedures as outlined in the Program Income Chapter of the CDBG-DR Manual.[139]

~~6.2~~6.3 PROGRAM IMPLEMENTATION

The program implementation section discusses eligibility requirements, the application process, and implementation requirements for Nebraska's CDBG-DR grant program.

~~6.2.1~~6.3.1 ELIGIBLE AND INELIGIBLE ACTIVITIES

The CDBG-DR funds must be used toward disaster recovery activities, addressing disaster relief, restoration of infrastructure, and housing and economic revitalization, directly related to the 2019 disasters.

~~6.2.1.1~~6.3.1.1 Eligible Activities

CDBG-DR funds from the HUD disaster appropriation may be used for eligible CDBG activities.[140] The assistance may be provided for eligible projects to which FEMA has provided assistance, or that other sources, including FEMA, cannot fund or cannot fund in full, but that are nevertheless critical to recovery, or for activities where the costs significantly exceed the amount of assistance that FEMA or other sources can fund. However, any appropriation covered by this Plan[141] shall be reviewed for compliance with duplication of benefits (DOB) guidelines.[142] A key update is described by HUD, "CDBG–DR grantees shall not treat declined subsidized loans, including declined SBA loans, as a DOB (but are not prohibited from considering declined subsidized loans for other reasons, such as underwriting)."[143] Funds may also be used as a matching requirement,

[138] US HUD, 2015. "Guidance for Charging Pre-Application Costs of Homeowners, Businesses, and Other Qualifying Entities to CDBG Disaster Recovery Grants." Retrieved at: https://www.hud.gov/sites/documents/15-07CPDN.PDF
[139] DED, 2016. "Nebraska CDBG Administration Manual." Retrieved at: http://opportunity.nebraska.gov/files/crd/cdbg_admin_manual/CDBGAdminMan16_All.pdf.
[140] Eligible activities are as identified at 42 USC 5305 (a), that meet the state CDBG program regulations as found at 24 CFR 570.482 or any activity for which HUD has issued a waiver/alternative requirement in the applicable Federal Register Notices
[141] Per Public Law 116-20.
[142] As noted in 84 FR 28836, which updates existing DOB requirements to reflect recent CDBG–DR supplemental appropriations acts and amendments to the Robert T. Stafford Disaster Relief and Emergency Assistance Act.
[143] Per 84 FR 28836.

share, or contribution for any other federal program, provided all activities are CDBG-DR eligible and in compliance with DOB guidelines.

- Program delivery costs may include, but are not limited to: applicant intake, development of cost estimates, engineering design, and compliance actions for environmental hazards.
- By the terms of the applicable HUD Federal Register Notices, activities using 80% of the CDBG-DR funding may be funded in the following HUD-defined MID Counties: Dodge County, Douglas County, and Sarpy County. Per the January 27, 2020, Federal Register Notice, Nebraska elected to expand the HUD-defined MID per automatic waver to cover the extent of the three counties.[144]
- Activities using 20% of the CDBG-DR funding may be funded outside of the HUD-defined MID Counties outlined above.
- Structures used by faith-based organizations may be assisted where a structure is used for both religious and secular uses, and the rehabilitation and/or construction costs are attributable to the non-religious use. As of this writing, no specific CDBG-DR eligible projects for religious institutions have been identified; however, the state reserves the right to assist eligible projects as need and identified.

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~~6.2.1.2~~6.3.1.2 Ineligible Activities

Ineligible activities include, but are not limited to, the following:

- General government expenses;
- Political activities;
- Operations and maintenance;
- Income payments;
- Assistance to second homes;
- Replacement of lost business revenue as a result of the storm;
- Assistance to private utilities;
- Purchase of equipment (with several exceptions, e.g., as part of an eligible economic development activity, a public service activity, a solid waste disposal facility, or an integral part of a public facility project);
- Any assistance to a business or property owner who received FEMA assistance in the past where required flood insurance has not been maintained.

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~~6.2.2~~6.3.2 IMPLEMENTATION REQUIREMENTS

The following requirements guide the implementation of the CDBG-DR grant programs. Additional requirements are outlined in the Program Priorities section (Section 4) and in the individual program descriptions (Section 50).

~~6.2.2.1~~6.3.2.1 Uniform Relocation Act

The Uniform Relocation Assistance and Real Property Acquisition Policies Act (known as “URA”) requires that individuals, households and business who are displaced as of the result of the use

[144] 83 Fed. Reg. 83 (February 9, 2018)

of Federal funds receive relocation assistance. This assistance may be provided to renters displaced temporarily while repairs are undertaken for rental units. The State of Nebraska will follow its existing relocation plan (Chapter 11 of the CDBG Administration Manual) unless it is modified for the purposes of the CDBG-DR programs. Per the HUD requirement outlined in the February 9, 2018, Federal Register Notice, DED will use the following definitions:

- "Demonstrable hardship" is defined as a substantial change in an owners' or renters' financial situation that will prohibit or severely affect their ability to provide a minimal standard of living and must be of a severe, involuntary, and unexpected nature.
- "Not suitable for rehabilitation" is defined as storm damage sustained to more than 75 percent of a home or 50 percent for manufactured home as determined by the pre-flood valuation obtained from County property tax records.

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~~6.2.2.2~~6.3.2.2 Procurement

The State of Nebraska will require full and open competition and evaluation of the cost for procurement of contractor support utilizing procurement policies as outlined in the State of Nebraska Procurement Manual, which applies to all programs regardless of source of funds. Procurement for CDBG programs are governed by those specific requirements set forth under 24 CFR 570.489(g) and 2 CFR 200.317-200.326 (adopted verbatim by the state) and all applicable state laws and regulations.[145] These rules and regulations are applicable for all applicants and any potential subrecipients. The state's procurement policies were submitted in the State of Nebraska Grantee Certifications Package.

Procurement requirements will depend on the type of program. When construction contractors are required, a licensed contractor with the State of Nebraska and local jurisdictions will be required. According to each local jurisdiction, permits may be required for work conducted utilizing CDBG-DR funding. For all work being performed, construction contractors will be required to have a one-year warranty. Each homeowner will have the right to appeal work performed by a contractor.

Subrecipients will be responsible for having a process in place to facilitate any homeowner appeals. Subrecipients will be required to describe their appeals process in the grant application. The subrecipient agreement will also require maintenance of the appeals process in their policies and procedures, which DED will as an element of regular program monitoring.

~~6.2.2.3~~6.3.2.3 Project Construction Costs

Controls to assure that project construction costs funded by CDBG-DR programs are necessary and reasonable are outlined in the CDBG-DR Financial Management and Grant Compliance Certification for States and Grantees. Furthermore, the State of Nebraska Procurement Manual outlines specific policies for determining and demonstrating necessary and reasonable project costs. This includes regulation of project activities specific to mitigation and resilience, which will be capped at 25% of overall project costs.

[145] Department of Administrative Services, 2018. State of Nebraska Procurement Manual. Retrieved at: https://das.nebraska.gov/materiel/purchase_bureau/docs/manuals/2017%20Procurement%20Manual.pdf

~~6.2.2.4~~6.3.2.4 Use of Technical Assistance

DED may provide technical assistance to subrecipients to support effective program implementation and compliance with HUD and State requirements, as appropriate.

~~6.2.2.5~~6.3.2.5 Exceptions

DED does not anticipate any exceptions to award caps for programs funded through CDBG-DR. All applications will be required to meet program criteria and structure implementation per the standards described in this Action Plan. This expectation will be communicated to applicants during their application process.

~~6.2.2.6~~6.3.2.6 Minimizing Displacement

DED plans to minimize displacement of grant recipients and support recipients that have been displaced based on the implementation of the CDBG-DR program. Minimizing displacement is not designed to limit the programs that DED can implement, but rather support a fair recovery process. To minimize displacement when implementing CDBG-DR programs, DED will utilize the Residential Anti-Displacement and Relocation Assistance Plan.[146]

~~6.2.2.7~~6.3.2.7 Elevation Requirements

To promote a resilient recovery (Section 4), DED will require the use of the following elevation standards as outlined in the Federal Register[147] by HUD:

- Per HUD requirements, residential structures located in the one percent annual chance floodplain where assistance is provided for new construction, repair of substantially damaged structures, or substantial improvements in flood hazard areas, are required to elevate such that the lowest floor (including the basement) is two feet above the base flood elevation. This Plan does not allow for any construction in the one percent annual chance floodplain.
- Mixed-use structures with no dwelling units and residents below two feet above base flood are required to be elevated or floodproofed up to at least two feet above base flood elevation.
- Nonresidential structures are required to be elevated or floodproofed up to at least two feet above the one percent annual chance floodplain.
- All critical actions[148] located within the 0.2% annual chance (500-year) floodplain are required to be elevated or floodproofed to the 0.2% annual chance floodplain or three feet above the one percent annual chance floodplain elevation. If the 0.2% annual chance floodplain is unavailable, any critical action in the one percent annual chance floodplain must be elevated three feet above the floodplain elevation.

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[146] DED, 2018. State of Nebraska 2018 Annual Action Plan. Retrieved at: https://opportunity.nebraska.gov/wp-content/uploads/2018/09/2018-AAP-and-Appendix_Final_20180814.pdf.

[147] 83 Fed. Reg. 83 (February 9, 2018).

[148] Critical Actions are defined as an "activity for which even a slight chance of flooding would be too great, because such flooding might result in loss of life, injury to persons or damage to property" (24 CFR 55.2[b][3]).

Nebraska Department of Natural Resources Floodplain Management Section will work with DED to support local community floodplain managers to ensure that all federal, state, and local floodplain regulations are met.

DED's priority is to support a resilient recovery. If elevation is proposed, DED will demonstrate that elevation is cost reasonable relative to alternative programs. This demonstration of cost reasonableness will be documented by calculating the cost of elevation as compared to alternative solutions.

~~6.2.2.8~~6.3.2.8 Fair Housing

As discussed in Section 4, the State of Nebraska prioritizes vulnerable populations, which will include increasing housing opportunities for the Whole Community.[149] Specifically, this will apply to the implementation of Nebraska's CDBG-DR Action Plan by requiring all projects to affirmatively further fair housing for all project types (Title VIII of the Civil Rights Act of 1968).[150] This is not restrictive to housing program projects, but rather any project implemented using CDBG-DR funding. Fair housing choice promotes program implementation that does not discriminate based on race, color, religion, sex, disability, familial status, or national origin. More information regarding fair housing requirements can be found in the Nebraska CDBG Program Administration Manual.[151]

DED's Affordable Housing Construction Program will incorporate Nebraska's existing fair housing regulations and housing priorities, which include preference to:

- Housing provided to one or more of the following populations: serious/chronic mental illness, physical or developmental disabilities, substance abuse issues, or homelessness. At least 30% of the units must serve one or more of these populations; or
- Housing developments in response to settlement agreements or consent decrees relating to housing deficiencies, housing discrimination or other housing issues.

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DED will also coordinate with the Housing RSF to identify flood-impacted, Spanish-speaking communities and ensure these communities have the information, networks, and resources needed to navigate the recovery programs and available resources.

Nebraska will provide reasonable accommodation and access to language resources to affirmatively further fair housing. Nebraska is committed to ensuring that individuals with disabilities are able to participate and benefit from the CDBG-DR programs as outlined in this action plan. As a part of the planning process, DED considered the needs of individuals with disabilities. Additionally, individuals with disabilities can request accommodation, including those that require modification of policies and programs or exceptions, unless doing so would be a fundamental alteration of the program. Additionally, Nebraska is committed to ensuring that individuals with Limited English Proficiency (LEP) are able to participate and benefit from the

[149] FEMA, 2011. "A Whole Community Approach to Emergency Management: Principles, Themes, and Pathways for Action." Retrieved at: https://www.fema.gov/media-library-data/20130726-1813-25045-3330/whole_community_dec2011__2_.pdf.

[150] Department of Administrative Services, 2018. State of Nebraska Procurement Manual. Retrieved at: https://das.nebraska.gov/materiel/purchase_bureau/docs/manuals/2017%20Procurement%20Manual.pdf

[151] Ibid.

CDBG-DR programs as outlined in this action plan. More information regarding this accommodation is available in the Citizen Participation Plan (Attachment C).

~~6.2.2.9~~6.3.2.9 Green Building Requirements

In the implementation of the CDBG-DR program, residential structures must meet at least one of the following green building standards for new construction and repair of substantially damaged structures, including:

- ENERGY STAR (certified homes or multifamily high-rise);
- Enterprise Green Communities;
- LEED (new construction, homes, midrise, existing buildings operations and maintenance, or neighborhood development);
- ICC–700 National Green Building Standard;
- EPA Indoor AirPlus (ENERGY STAR certification is a prerequisite); or
- Any other equivalent comprehensive green building program acceptable to HUD.

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~~6.2.2.10~~6.3.2.10 Use of Eminent Domain

The use of eminent domain is not anticipated in the implementation of the CDBG-DR program. In the case that eminent domain is exercised, it will only be used for acquisition for public purpose.

~~6.2.2.11~~6.3.2.11 Recapture Provisions

Recapture provisions apply to new housing construction programs where there is a transfer of title, either voluntary or involuntary, within five years of the assistance provided. The provisions require that all or a prorated portion of the program amount provided to the homebuyer be recaptured from the net proceeds of the sale and returned to the State. The recapture rate will be calculated as follows:

- If the home is sold within the first year, the principal will be due and payable upon sale.
- If the home is sold in years two through five, the amount of the assistance will be reduced by 20 percent per year.
- If the home is sold after five years, the recapture provisions no longer apply.

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These provisions are imposed through a written agreement with the property owner, and enforced via lien, deed restrictions, or covenants running with the land. Situations pertaining to the death of a homeowner and an immediate family member taking over ownership of the home will be considered on a case-by-case basis.

If the property owner fails to meet any contractual obligations of the agreement, the homeowner will be noncompliant with the program requirements, and further action to recapture the funds may be taken.

~~6.2.2.12~~6.3.2.12 Other Statutory Requirements

All activities will be implemented in compliance with laws relating to Fair Housing and Equal Opportunity (FHEO), including the Fair Housing Act Title VI of the Civil Rights Act of 1964, Section

109 of the Housing and Community Development Act of 1974, Section 504 of the Rehabilitation Act of 1973, Titles II and III of the Americans with Disabilities Act of 1990, The Architectural Barriers Act of 1968, The Age Discrimination Act of 1975, Title IX of the Education Amendments Act of 1972, the Davis-Bacon Act of 1931, and Section 3 of the Housing and Urban Development Act of 1968.

~~6.3~~6.4 MONITORING AND COMPLIANCE

Monitoring and compliance are critical to successful implementation of the CDBG-DR program to ensure the program is carried out in accordance with state and federal requirements. Monitoring and compliance activities will include documenting compliance with program rules; ensuring timely expenditure of CDBG-DR funds and timely closeout of projects, tracking program and project performance; and identifying technical assistance needs.[152] The state will conduct monitoring activities, including the following:

- **Desktop Monitoring** is conducted offsite and allows for performance to be monitored (via progress reports and other supporting documentation).
- **On-site Monitoring** is conducted at the location of the project activity and is generally conducted once, unless otherwise identified.

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After monitoring is conducted, a report will be produced summarizing what was reviewed; the applicable state or federal statute; and the conclusion reached through the monitoring process (Table 5-2~~Table 5-5~~).

Table 5-~~2~~2: Monitor Report Determinations[153]

Determination	Description
Satisfactory Performance	No identifiable issues.
Concern	An issue is identified but does not involve a statute, regulation or requirement, such as a management issue.
Question of Performance	Monitoring review is inconclusive as to if there is a violation of a statute, regulation, or requirement and additional information will be required.
Clear Violation	Clear violation of a statute, regulation, or requirement and a remedy is required.

~~6.4~~6.5 STAKEHOLDER ENGAGEMENT

~~6.4.1~~6.5.1 PUBLIC WEBSITE

Throughout the duration of the grant, DED will maintain a public website[154] to provide information on how the CDBG-DR program funds are being used and administered.[155] Specifically, this will include:

- The Action Plan, including any and all amendments;

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[152] Department of Administrative Services, 2018. State of Nebraska Procurement Manual. Retrieved at: https://das.nebraska.gov/materiel/purchase_bureau/docs/manuals/2017%20Procurement%20Manual.pdf

[153] Department of Administrative Services, 2018. State of Nebraska Procurement Manual. Retrieved at: https://das.nebraska.gov/materiel/purchase_bureau/docs/manuals/2017%20Procurement%20Manual.pdf

[154] The public website can be viewed at: https://opportunity.nebraska.gov/program/cdbg_dr/

[155] DED's plan for creation and maintenance of the public website was approved by HUD in the Grantee Certifications Package.

- The current approved Disaster Recovery Grant Reporting (DRGR) system action plan;
- Each quarterly performance report (QPR), as created using the DRGR system;
- Citizen participation requirements;
- Procurement policies and procedures;
- Announcements of public hearing;
- Instructions on how to apply for assistance;
- The grievance procedure;
- A directory of names of staff, responsibilities, and contact information;
- Statement on Anti-Fraud, Waste, and Abuse;
- Description of services or goods currently being procured by the grantee;
- A copy of contracts the grantee has procured directly; and
- A summary of all procured contracts.[156]

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~~6.4.2~~6.5.2 CITIZEN PARTICIPATION

A Citizen Participation Plan (CPP) was developed to establish citizen participation efforts to be conducted throughout the implementation of the Action Plan. The current, approved Citizen Participation Plan can be found at: ~~-~~https://opportunity.nebraska.gov/program/cdbg_dr/. This plan specifically outlines the 30-day public comment period, which was held from June 23, 2020, through July 23, 2020. A series of public notices, social media posts, and press releases were distributed to raise awareness of the Action Plan . The public comment period included three public meetings, one on July 10 and two on July 16, to inform citizens about the Action Plan, one of which was held in Spanish. All meetings provided American Sign Language interpretations for accessibility. All public meetings were held virtually due to public health constraints resulting from the COVID-19 pandemic. DED compiled feedback received via emails and in the public meeting, which are documented in Table 7-4.

As discussed in the CPP, the State of Nebraska recognizes the importance of public participation in the process of disaster recovery, particularly for those most vulnerable to the impacts of the disaster. These individuals include low- and moderate-income persons; residents of low- and moderate-income areas; residents of slums and blighted areas; individuals and organizations located where federal and state resources may be used; minorities and non-English speaking residents, including those with Limited English Proficiency (LEP); and persons with disabilities. The CPP was used for the development of the Action Plan and will be utilized throughout program implementation and for review of substantial amendments as defined in Section 0~~0~~.

~~6.4.3~~6.5.3 JURISDICTIONAL ENGAGEMENT

To support efficient and effective use of the CDBG-DR allocation, DED will engage with local and regional governments, federal partners, non-governmental organizations, private sector stakeholders, and other entities to sufficiently assess the needs of all areas affected by the 2019 disaster.[157] Additionally, comprehensive jurisdictional engagement supports:

[156] 83 Fed. Reg. 83 (February 9, 2018)

[157] This engagement includes CDBG entitlement communities.

- Alignment and consistency between the action plan and other regional recovery efforts;
- Development of relationships to enhance resilience;
- Information sharing of best practices, challenges, and resources; and
- Creating mechanisms for Whole Community engagement.[158]

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DED will maintain a Whole Community approach by coordinating with the Governor's Task Force, which includes representation from across federal, state, and local, government agencies, businesses, non-governmental agencies, and local long-term recovery groups. Guidance from this broad coalition of stakeholders will enable a locally focused approach throughout implementation. DED is also in active dialogue with communities via long-term recovery groups, along with the Recovery support functions (RSFs) – particularly the Housing and Infrastructure RSFs – as a method of engaging relevant stakeholders. DED will continue to participate in regular meetings with these groups and will maintain visibility on all reporting regarding new efforts and emerging needs. Any activities and programs will be communicated to local partners to ensure awareness across the state and opportunities to maximize the collective impact on disaster-affected communities.

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~~6.4.3.1~~6.5.3.1 Application Status

Once an application has been submitted, DED will ensure adequate means of informing applicants on application status are maintained throughout program implementation. This will include utilization of the public website, contact through program representatives, and via email, phone, or mail. DED will ensure that personally identifiable information (PII) is protected.

[158] FEMA, 2011. "A Whole Community Approach to Emergency Management: Principles, Themes, and Pathways for Action." Retrieved at: https://www.fema.gov/media-library-data/20130726-1813-25045-3330/whole_community_dec2011__2_.pdf

7 APPENDICES

A. ACRONYM LIST

Table 7-1: Acronym List

Acronym	Term
AHCP	Affordable Housing Construction Program
AHTC	Affordable Housing Tax Credits
AMI	Area Median Income
CDBG	Community Development Block Grant
CDBG-DR	Community Development Block Grant – Disaster Recovery
CFR	Code of Federal Regulations
COVID-19	Coronavirus Disease 2019
CPP	Citizen Participation Plan
CRANE	Collaborative Resources Allocation for Nebraska
DED	Nebraska Department of Economic Development
DOB	Duplication of Benefits
DNR	Nebraska Department of Natural Resources
DR	Disaster Recovery
DRGR	Disaster Recovery Grant Reporting
ELIL	Extremely low-income limit
ESG	Emergency Solutions Grant
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
FR	Federal Register
HMA	Hazard Mitigation Assistance
HMGP	Hazard Mitigation Grant Program
HOME	Home Investment Partnerships Program
HPP	Housing Production Program
HRP	Housing Resiliency Planning
HTF	National Housing Trust Fund
HUD	United States Department of Housing and Urban Development
IA	Individual Assistance
IHP	Individuals and Households Program
IMP	Infrastructure Match Program
LEP	Limited English Proficiency
LIHTC	Low income housing tax credit
LIL	Low-income limit
LMI	Low- and moderate- income
MID	Most Impacted and Distressed

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Acronym	Term
NAHTF	Nebraska Affordable Housing Trust Fund
NEMA	Nebraska Emergency Management Agency
NHAP	Nebraska Homeless Assistance Program
NIFA	Nebraska Investment Finance Authority
NFIP	National Flood Insurance Program
OFA	Other Federal Agencies
PA	Public Assistance
PII	Personally Identifiable Information
PW	Project Worksheet
QPR	Quarterly Performance Report
RARP	Risk Awareness and Resilience Planning
RSF	Recovery Support Function
SBA	Small Business Administration
SIC	Small and Impoverished Community
SR	Subrecipient
SRA	Subrecipient Agreement
UNA	Unmet Needs Assessment
USACE	United States Army Corps of Engineers
VLIL	Very low-income limit

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B. ELIGIBLE AREAS

The following table summarizes the eligible areas (including counties and federally recognized Indian tribes) for the NE CDBG-DR programs.

Table 7-2: Summary of Eligible Areas

HUD MID Area		
Dodge	Douglas	Sarpy
State MID Area		
Adams	Furnas	Omaha
Antelope	Gage	Otoe
Arthur	Garden	Pawnee
Banner	Garfield	Phelps
Blaine	Gosper	Pierce
Boone	Grant	Platte
Box Butte	Greeley	Polk
Boyd	Hall	Richardson
Brown	Harlan	Rock
Buffalo	Hayes	Sac and Fox
Burt	Holt	Saline
Butler	Hooker	Santee
Cass	Howard	Sarpy
Cedar	Jefferson	Saunders
Cherry	Johnson	Scotts Bluff
Cheyenne	Kearney	Seward
Clay	Keya Paha	Sheridan
Colfax	Kimball	Sherman
Cuming	Knox	Sioux
Custer	Lancaster	Stanton
Dakota	Lincoln	Thayer
Dawes	Logan	Thurston
Dawson	Loup	Valley
Deuel	Madison	Washington
Dixon	Merrick	Wayne
Dodge	Morrill	Webster
Douglas	Nance	Wheeler
Fillmore	Nemaha	Winnebago
Franklin	Nuckolls	York
Frontier		

C. DATA REPRESENTED IN FIGURES AND TABLES

The data presented in figures and tables throughout the Action Plan are described further below. Figures that are photographs are not included in the matrix.

Table 7-3: Description of Data Represented in Figures and Tables

Number	Explanation	Analysis Technique	Source(s)	Last Updated
Unlabeled	This table summarizes the amendments made to the Nebraska DR-4420 Disaster Recovery Action Plan. This will include the date the amendment was approved, the amendment number, and a comprehensive description of the amendment.	N/A	N/A	~~N/A~~September 2023
Table 0-1	This table summarizes the impacts of the changes made in each Amendment on the Initial Unmet Needs Assessment.	N/A	N/A	~~June~~September 2023
Figure 0-1	This figure ~~summarizes~~demonstrates a comparison between the HUD identified unmet needs and the Nebraska identified impact and unmet need in infrastructure, housing, and the economy.	This information was provided by HUD and otherwise calculated throughout the document. ~~The~~ information is demonstrated by calculating a percentage.	HUD	N/A
~~Figure~~Table 0-2	~~This figure demonstrates a comparison between the HUD identified unmet needs and the Nebraska identified impact and unmet need in infrastructure, housing, and the economy.~~This table provides a summary of the programs as outlined in the Action Plan.	~~This information was provided by HUD and otherwise calculated throughout the document. The information is demonstrated by calculating a percentage.~~N/A	~~HUD~~N/A	~~June~~September 2023 ~~(Funding Allocation)~~

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Number	Explanation	Analysis Technique	Source(s)	Last Updated
~~Table~~Figure 0-2	This ~~table provides~~figure is a ~~summary~~pie chart of ~~the programs as outlined in the Action Plan~~current program budgets.	~~N/A~~This is a graphic representation of current program budgets.	N/A	~~June~~September 2023 ~~(Funding Allocation)~~
Figure 1-1	This map displays by how many degrees temperatures differed, or departed, from normal between 2/1/2019 and 2/28/2019. This map was generated using Applied Climate Information System data available through an online map viewer on the High Plains Regional Climate Center website.	Retrieved online	Applied Climate Information System Climate Maps, High Plains Regional Climate Center	March 2019
Figure 1-2	This map displays the peak wind gusts (miles per hour) recorded in Nebraska on 3/14/2019. This is during the period when the Bomb Cyclone was moving across Nebraska and represents a snapshot of the most severe weather to impact Nebraska during this time. This map was generated using ASOS/AWOS station data on the Automated Data Plotter, available through the Iowa Environmental Mesonet at Iowa State University.	Retrieved online	Automated Data Plotter, Iowa Environmental Mesonet	March 2019
Figure 1-3	This map displays the total inches of precipitation above average that fell across Nebraska between 1/1/2019 and 3/31/2019. This map was generated using ASOS/AWOS station data on the Automated Data Plotter, available through the Iowa Environmental Mesonet at Iowa State University.	Retrieved online	Automated Data Plotter, Iowa Environmental Mesonet	March 2020

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Number	Explanation	Analysis Technique	Source(s)	Last Updated
Figure 1-4	This map displays the rivers that experienced flooding during the 2019 disasters. This map also identifies the MID area.	Rivers selected and displayed on the State map.	N/A	N/A
Table 2-~~0~~1	This table shows amounts of initially awarded projects and remaining project funds from initial funding allocation.	N/A	DED awarded projects as of ~~Amendment 2~~APA3	~~June~~September 2023
Figure 2-1	See Figure 0-1			
Table 2-~~1~~2	This table summarizes the HUD damage categories.	N/A	HUD	N/A
Table 2-~~2~~3	This table summarizes the data related to housing damage in the MID area as determined by HUD.	N/A	HUD	December 2019
Table 2-~~3~~4	This table summarizes the data related to housing damage in both the HUD-defined MID and State-defined MID as determined by the UNA.	N/A	HUD	January 2020
Table 2-~~4~~5	This table shows the number of applicants for FEMA and SBA assistance based on the HUD guidance to determine unmet needs.	Aggregate of each category broken down by MID County and sum of all other counties outside of MID.	FEMA and SBA databases.	March 2020
Table 2-~~5~~6	This table summarizes the data related to remaining unmet needs in the HUD-defined MID area as determined by HUD.	N/A	HUD	December 2019
Table 2-~~6~~7	This table describes how current housing programs are structured to meet the needs of disaster survivors.	N/A	N/A	January 2021
Table 2-~~7~~8	This table outlines serious unmet housing needs and to what extent they are being addressed by existing housing programs.	N/A	N/A	April 2021

Number	Explanation	Analysis Technique	Source(s)	Last Updated
Table 2-~~39~~	This table ~~identifies~~lists the ~~total amount~~number and dollar value of ~~CDBG-DR funding that will be used~~applications to ~~address remaining unmet~~ housing ~~needs,~~programs as ~~calculated in Table 2-6~~of APA3.	N/A	~~N/A~~Applications to LIHTC and HPP programs to date.	~~April 2021~~September 2023
Table 2-~~9~~10	This table is designed to compare the economic revitalization unmet needs as calculated by HUD and the unmet needs as calculated by Nebraska in the UNA	N/A	HUD	N/A
~~Table 2-10~~	~~This table provides details regarding the infrastructure unmet needs as calculated by HUD.~~	~~N/A~~	~~HUD~~	~~N/A~~
Table 2-11	This table ~~is designed to compare~~provides details regarding the infrastructure unmet needs as calculated by HUD ~~and the unmet needs as calculated by Nebraska in the UNA.~~.	N/A	~~HUD~~FEMA project amounts	~~N/A~~September 2023
Table 2-12	This table provides context regarding the UNA's total estimate of unmet need.	N/A	N/A	N/A
Figure 2-2	See Figure 0-2			
Figure 2-3	This figure demonstrates a timeline of the counties included in the federal disaster declarations for both PA and IA.	N/A	FEMA	2020
Figure 2-4	This map indicates the FEMA disaster declarations from DR-4420 by County, including FEMA IA, FEMA PA Categories A-B, and FEMA PA Categories C-G.	N/A	FEMA	~~10/10/~~October 2019

Number	Explanation	Analysis Technique	Source(s)	Last Updated
Table 2-13	This table indicates the FEMA disaster declarations from DR-4420 by County, including FEMA IA, FEMA PA Categories A-B, and FEMA PA Categories C-G. This information also includes federally recognized Indian tribes.	N/A	N/A	N/A
Figure 2-5	This map provides a visualization of the original MID zip codes (the entirety of Sarpy County and zip codes 68025 (Dodge), 68064 (Douglas), and 68069 (Douglas). The map also shows the expanded MID which includes all of Sarpy, Dodge, and Douglas counties.	N/A	HUD	~~1/27/~~January 2020
Table 2-14	This table shows the number of applicants for FEMA and SBA assistance based on the HUD guidance to determine unmet needs.	Aggregate of each category broken down by MID County and sum of all other counties outside of MID.	FEMA and SBA databases~~.~~	March 2020
Table 2-15	This image was obtained from the HUD website, which shows the ~~current~~ 2020 household income limits to be considered LMI for the State of Nebraska.	N/A	HUD.gov	January 2021
Figure 2-6	This map displays the ~~percent~~percentage of the total population that is low to moderate income (LMI), by census block group for Douglas County. Included with this map is the FEMA floodplain.	LMI population data was symbolized using graduated colors with a categorization based on equal intervals.	US Census Bureau 2018 American Community Survey; FEMA	2018

Number	Explanation	Analysis Technique	Source(s)	Last Updated
Figure 2-7	This map displays the ~~percent~~percentage of the total population that is low to moderate income (LMI), by census block group for Dodge County. Included with this map is the FEMA floodplain.	LMI population data was symbolized using graduated colors with a categorization based on equal intervals.	US Census Bureau 2018 American Community Survey; FEMA	2018
Figure 2-8	This map displays the ~~percent~~percentage of the total population that is low to moderate income (LMI), by census block group for Sarpy County. Included with this map is the FEMA floodplain.	LMI population data was symbolized using graduated colors with a categorization based on equal intervals.	US Census Bureau 2018 American Community Survey; FEMA	2018
Figure 2-9	This is a picture of a flooded railway bridge taken during the storms of DR-4420.	Photo by Spc. Lisa Crawford, Joint Force Headquarters - Nebraska National Guard	Photo courtesy Defense Visual Information Distribution Service (DVIDS)	Photo taken March 14, 2019
Figure 2-10	This map displays the total number of PA eligible projects per county through three categories: High = 24 - 111 Medium = 5 - 24 Low = 1 - 5	This map was developed using the total estimated PA-eligible projects (Categories C-G) per county. The symbology of the map was graduated colors with the categorization based on geometric intervals.	NEMA PA Database	January 17, 2020
Figure 2-11	This figure shows the cost of damage to infrastructure facilities as reported by NEMA, anticipated FEMA PA funding and the unmet needs.	Unmet need determined by calculating the difference of cost of damage and anticipated funding amount.	NEMA PA Database	~~January 17, 2020~~September 2023
Table 2-16	This table shows the cost of damage to roads and bridges as reported by NEMA, anticipated FEMA PA funding and the unmet needs.	Unmet need determined by calculating the difference of cost of damage and anticipated funding amount.	NEMA PA Database	~~January 17, 2020~~ September 2023

Number	Explanation	Analysis Technique	Source(s)	Last Updated
Figure 2-12	Picture of washed-out road under repair		Omaha World-Herald	June 18, 2019
Table 2-17	This table shows the cost of damage to water control and treatment facilities as reported by NEMA, anticipated FEMA PA funding and the unmet needs.	Unmet need determined by calculating the difference of cost of damage and anticipated funding amount.	NEMA PA Database	~~January 17, 2020~~ September 2023
Table 2-18	This table shows the cost of damage to utility systems as reported by NEMA, anticipated FEMA PA funding and the unmet needs.	Unmet need determined by calculating the difference of cost of damage and anticipated funding amount.	NEMA PA Database	~~January 17, 2020~~ September 2023
Table 2-19	This table shows the cost of damage to parks, recreational, and other facilities as reported by NEMA, anticipated FEMA PA funding and the unmet needs.	Unmet need determined by calculating the difference of cost of damage and anticipated funding amount.	NEMA PA Database	~~January 17, 2020~~September 2023
Table 2-20	This table provides a breakdown of FEMA PA categories and the per capita damage analysis based on population size in MID counties and damage incurred.	N/A	N/A	~~N/A~~March 2020
Table 2-21	This table outlines the estimated infrastructure-related unmet needs~~, accounting for available funding from~~ as represented by HMGP projects.	N/A	~~N/A~~NEMA records	~~N/A~~September 2023
Figure 2-13	This figure represents the total number of applications submitted for FEMA rental assistance and the percent of approvals in the MIDs and remaining counties.	Data filtered by Counties and approvals for assistance.	FEMA database	March 2020

Number	Explanation	Analysis Technique	Source(s)	Last Updated
Figure 2-14	This figure represents the total number of applications submitted for FEMA owner occupied assistance and the percent of approvals in the MIDs and remaining counties.	Data filtered by Counties and approvals for assistance.	FEMA database	March 2020
Figure 2-15	This map displays the total FEMA Individual Assistance claims submitted, summarized by census block group for Douglas County. This data is overlaid on the 1% annual chance and 0.2% annual chance floodplains. In general, total claims were the highest in census block groups within the floodplain.	This map was developed by summarizing the total FEMA Individual Assistance claims in each census block group. The total claims are symbolized using graduated yellow circles. The 1% annual chance floodplain is symbolized with a light blue color, and the 0.2% annual chance floodplain is symbolized in dark blue.	FEMA database	March 2020
Figure 2-16	This map displays the total FEMA Individual Assistance claims submitted, summarized by census block group for Dodge County. This data is overlaid on the 1% annual chance and 0.2% annual chance floodplains. In general, total claims were the highest in census block groups within the floodplain.	This map was developed by summarizing the total FEMA Individual Assistance claims in each census block group. The total claims are symbolized using graduated yellow circles. The 1% annual chance floodplain is symbolized with a light blue color, and the 0.2% annual chance floodplain is symbolized in dark blue.	FEMA database	March 2020

Number	Explanation	Analysis Technique	Source(s)	Last Updated
Figure 2-17	This map displays the total FEMA Individual Assistance claims submitted, summarized by census block group for Sarpy County. This data is overlaid on the 1% annual chance and 0.2% annual chance floodplains. In general, total claims were the highest in census block groups within the floodplain.	This map was developed by summarizing the total FEMA Individual Assistance claims in each census block group. The total claims are symbolized using graduated yellow circles. The 1% annual chance floodplain is symbolized with a light blue color, and the 0.2% annual chance floodplain is symbolized in dark blue.	FEMA database	March 2020
Table 2-22	This table provides a breakdown of applicants in each county based on assistance type, inspections completed and socioeconomic factors that represent communities' vulnerabilities.	Data sorted by county using FEMA database for assistance type and incorporating socioeconomic information from the Census Bureau.	N/A	~~N/A~~March 2020
Table 2-23	This table shows breakdown of owner versus rental applications and how many applicants remained in the damaged dwelling after the disaster, how many applicants moved to a new unit and how many were displaced from their time of disaster residence.	Data filtered by Owner/Renter status. A comparison of the Residence Type column and Current Residence Type column to determine displacement status.	FEMA database	March 2020

Number	Explanation	Analysis Technique	Source(s)	Last Updated
Figure 2-18	This map shows the total FEMA Individual Assistance claims submitted by renters, summarized by census block group for the MID counties.	This map was developed by summarizing the total FEMA Individual Assistance claims made by renters, by census block group. The data is symbolized using graduated colors with a categorization based on natural breaks.	FEMA database	March 2020
Table 2-24	This table shows the total number of owner versus renter applicants in each residence type category after the disaster.	Data filtered by owner/renter and residence type.	FEMA Database	March 2020
~~Table 2-25~~	~~This table documents the remaining unmet need reported by PHAs that sustained damage.~~	~~Data collected and maintained through surveys.~~	~~N/A~~	~~January 4, 2021~~
Figure 2-19	This map shows the type of housing most impacted within each census block group for Douglas County.	This map was developed by counting the number of FEMA Individual Assistance claims submitted by housing type in each census block	FEMA database	March 2020
Figure 2-20	This map shows the type of housing most impacted within each census block group for Dodge County.			

Number	Explanation	Analysis Technique	Source(s)	Last Updated
Figure 2-21	This map shows the type of housing most impacted within each census block group for Sarpy County.	group. Housing types were grouped into three types: mobile homes and travel trailers; house/duplex, apartment/condo, townhouse; and other. No information was reported in several census block groups. The housing type with the highest count of claims in each census block group was symbolized on the map using the color corresponding to the housing type		
Table 2-25	This table documents the remaining unmet need reported by PHAs that sustained damage.	Data collected and maintained through surveys.	N/A	January 4, 2021
Table 2-26	This table shows the summary of economic assistance, showing unmet needs for economic recovery.	Calculated using the SBA reported content and property losses minus insurance payout and approved loans.	SBA Database	March 2020
Table 2-27	Table shows the aggregate of all assistance received from FEMA for IA and PA.	Summed total assistance received from FEMA for HA, ONA and PA assistance.	FEMA database	March 2020
Table 2-28	This table shows the allocation breakdown provided by the Federal Register (FR) for the Nebraska Winter Storm.	Total allocation and required MID allocation pulled directly from FR with the balance being the sum of total allocation minus MID allocation.	January 27, 2020 Federal Register Notice	January 27, 2020
Table 2-29	This table displays a summary of unmet needs for FHWA road recovery.	Calculated from the damage to FHWA roads and anticipated funding for FHWA road recovery.	NEMA	~~N20192~~2019

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Number	Explanation	Analysis Technique	Source(s)	Last Updated
Figure 2-22	This figure is a map of FHWA certified roads in the State of Nebraska.	N/A	FEMA; ESRI; FHWA; HPMS	2017
Figure 3-1	This table displays the method of distribution for the Action Plan.	N/A	DED	~~June~~September 2023 ~~(Funding Allocation)~~
Table 3-1	Outlines the program budget.	N/A	N/A	~~June~~September 2023 ~~(Funding Allocation)~~
Table 4-1	This table describes how Nebraska's CDBG-DR programs fulfill the CDBG National Objectives.	N/A	N/A	~~N/A~~September 2023
Table 4-2	This table provides a breakdown of how the CDBG-DR programs have funding allocated to ensure that DED meets the LMI spending requirements.	N/A	N/A	~~June~~September 2023 ~~(Funding Allocation)~~
Table 4-3	This table provides a breakdown of how the CDBG-DR programs have funding allocated to ensure that DED meets the MID spending requirements.	N/A	N/A	~~June~~September 2023 ~~(Funding Allocation)~~
Figure 5-1	This diagram outlines the scoring criteria and concurrent tiering system that will be used to select projects for the Infrastructure Match Program.	N/A	N/A	March 2020
Table 5-1	This table displays the number and costs of FEMA PA projects, followed by the 10% local share to indicate potential projects to fund for the Infrastructure Match Program.	N/A	NEMA PA Dataset	June 2023

Number	Explanation	Analysis Technique	Source(s)	Last Updated
~~Table~~Figure 5-2	This diagram explains the Nebraska CDBG-DR housing programs and their administration. Specifically, it demonstrates how all of the unmet needs will be met and how the CDBG-DR programs will funnel into existing programs.~~This table displays the number and costs of FEMA HMGP projects, followed by the 25% local share to indicate potential projects to fund for the Infrastructure Match Program.~~	N/A	~~NEMA HMGP Dataset~~N/A	~~June 2023~~ March 2020
~~Table~~Figure 5-3	This diagram outlines the scoring criteria and concurrent tiering system that will be used to select projects for the housing programs.~~This table indicates the FEMA PA category and match requirements.~~	N/A	N/A	~~N/A~~March 2020
~~Figure 5~~Table 6-1	This table indicates the potential determinations for the monitoring reports conducted during programmatic monitoring and compliance.~~This diagram outlines the scoring criteria and concurrent tiering system that will be used to select projects for the Infrastructure Match Program.~~	N/A	N/A	~~N/A~~March 2020

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Number	Explanation	Analysis Technique	Source(s)	Last Updated
~~Figure 5-2~~Table 7-1	This is a list of acronyms~~This diagram explains the Nebraska CDBG-DR housing programs and their administration. Specifically, it demonstrates how all of the unmet needs will be met and how the CDBG-DR programs will funnel into existing programs.~~	~~N/A~~Collection of acronyms used in this Action Plan	N/A	~~N/A~~September 2023
~~Figure 5-3~~Table 7-2	This is table of eligible areas, both HUD MID counties and State MID counties~~This diagram outlines the scoring criteria and concurrent tiering system that will be used to select projects for the housing programs.~~	N/A	N/A	~~N/A~~March 2020
Table ~~6-17-3~~	This is a table ~~provides~~that describes the ~~projected expenditures~~content of all of the figures and ~~timeline for distributing CDBG-DR funds over the course of the six-year timeframe.~~ tables in this Action Plan.	N/A	N/A	~~N/A~~September 2023
Table ~~6-27-4~~	This table ~~indicates~~lists public comments received when the ~~potential determinations for~~Initial Action Plan was ~~published to invite comments from~~ the ~~monitoring reports conducted during programmatic monitoring and compliance.~~public.	N/A	~~N/A~~Public comments	~~N/A~~August 2020
Table 8-1	This table documents survey questions used to assess needs in PHAs.	Survey was distributed and analyzed to determine unmet housing needs.	PHAs in MID areas	January 2021

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Number	Explanation	Analysis Technique	Source(s)	Last Updated
Table 8-2	This table outlines the participants in the Governor's Task Force, which coordinates activities and communications among members.	N/A	N/A	April 2021

D. RECORD OF PUBLIC COMMENT

The following section provides a record of public comments regarding the Nebraska CDBG-DR Initial Action Plan received during the public comment period from 06/23/2020 through 7/23/2020. In the week following the end of the public comment period, DED received two additional comments submitted; those comments and their responses included below.

Table 7-4: Record of Public Comment

Number	Comment and Response
1	**Comment:** There was concern over how all housing rehabilitation needs will be met between the regular CDBG and CDBG-DR programs. Specifically, there was a concern that housing rehabilitation needs were not included in the CDBG-DR programs. **Response:** DED noted that the department has added a priority to the 2020 regular CDBG program and for 2020 NAHTF program for areas impacted by the DR-4420. The application for the 2020 NAHTF grant cycle is in July 2020 and CDBG in September 2020. Moreover, the programs included in the CDBG-DR program utilize existing mechanisms (e.g., CDBG, NAHTF, LIHTC, etc.) to support utilization of the funding. See Figure 5-1, Summary of Nebraska's Proposed Housing Recovery Programs, of the Action Plan. A priority for DED in determining the allocation was to utilize the unique funding for opportunities that are ordinarily inaccessible to the department and where need was prevalent, and resources limited. This is in part why infrastructure was funded so heavily. The decision-making process for writing the action plan involved trying to link appropriate resources to issues and find the best way to invest the funding available. All items are subject to change.
2	**Comment:** The City of Fremont noted an issue with a fully repaired gravel road that the City would like to go back and mitigate risk to by paving over the road. The City did not submit a notice of interest for HMGP funding for this purpose. Will there be opportunities to fund this type of mitigation action through CDBG-DR funding? **Response:** The Infrastructure Match Program applies to projects receiving funding under the FEMA PA and HMGP programs. Projects that are not tied to a PA or HMGP grant may be eligible for funding via the regular CDBG program, for example, through Public Works or Emergent Threat.
3	**Comment:** There is large-scale infrastructure damage in the City, including levees, a water treatment plant, and a wastewater treatment plant. While the estimates for repairs are still being determined, it is understood there will be a high cost associated with the repairs (e.g., six to seven million for repair of the water treatment facility). This cost is a significant burden on the City of Peru. **Response:** To address the issue of small communities with significant unmet needs relative to their size, DED will include a prioritization criterion for the Infrastructure Match Program that considers the local cost share per capita.

Number	Comment and Response
4	**Comment:** Habitat for Humanity and case workers have been in contact with approximately 351 households who moved out of Sarpy County post-disaster. Many are interested in coming back, if eligible, in affordable housing through Habitat for Humanity. Can the CDBG-DR Housing Program funding be utilized to purchase the land for affordable housing? **Response:** Yes, program funding can be used to purchase land for the affordable housing project. It is important to note, however, this can only take place with program funds after a successful application and after the funds are awarded.
5	**Comment:** In the City of Fremont, much of the residential damage occurred to housing in the floodplain. According to the regulations, this housing is not eligible for rehabilitation. Question regarding how to integrate these homeowners into the housing programs. **Response:** Construction and rehabilitation activities are not permitted within 1% floodplains under the draft Action Plan.
6	**Comment:** The Nebraska Statewide Independent Living Council (NESILC) partners with the Independent Living Network to promote Independent Living and facilitate systemic change that promotes independence, inclusion, non-discrimination, and dignity for all people with disabilities in Nebraska. We appreciate the opportunity to provide comment on how the disaster of 2019 negatively impacted the disability community. Many people with disabilities are forced into poverty by the very systems that are set up to help them. It was difficult to find housing that was affordable and accessible in Nebraska prior to the disastrous events of 2019, afterwards it was impossible. Also, since none of the disaster preparedness plans include people with disabilities, we don't have an accurate count of number of people that were impacted. NESILC appreciates the opportunity to provide comments on this especially important issue, especially the unmet needs of the disabled community. **Response:** DED is committed to ensuring that housing programs funded under CDBG-DR address the requirements of households with access and functional needs. Similar to the data HUD uses in calculating the allocation amounts and MID areas, data available to DED did not include specific details regarding impacted households, such as information regarding disabilities, income, etc. As described in this plan, the unmet needs assessment is an ongoing effort; therefore, if such data exists, DED requests it be shared to better facilitate long-term recovery.

Number	Comment and Response
7	**Comment:** Please accept my letter of support for funding the City of Peru water project. I'm certain you are well aware of the challenges brought to the town and Peru State College as a result of the fund. The purpose of this letter is to urge DOD to help meet the challenge. I'm on the Peru State College Foundation board and spent my career at the college. In addition, I'm a native of southeast native and acutely aware of the college's impact on this corner of the state. The Foundation has a history of supporting students and the College which in turns adds to the prosperity of the region and Nebraska. However, without reliable water there is no college and in turn fewer opportunities for people who deserve a chance to improve their life. The Foundation will continue to support students and I hope you will help make water available so that we have students to support. **Response:** As a county with a federal disaster declaration under DR-4420, communities located in Nemaha County are eligible for assistance under the FEMA PA and HMGP programs, and the CDBG-DR Infrastructure Match Program may provide further support for the local share of eligible costs. DED understands that there are communities, such as Peru, that experienced major damage relative to their size. As a result, DED will include a prioritization criterion for the Infrastructure Match Program that considers the local cost-share per capita to address situations where communities have significant unmet needs relative to their size. Applications for this program are under development and cannot be finalized nor made available prior to HUD approval of this Action Plan.

8	**Comment:** Members of the community of Peru, Nebraska wish to take this opportunity to express to the Department of Economic Development the hardship that the 2019 flooding brought to Peru and surrounding areas. For the past several months, the City of Peru, Peru State College, the Peru Community Impact Group, and the Natural Resources District have worked diligently with Senator Slama and the Nebraska Department of Economic Development to document both the immediate impacts to Peru as well as the residual economic damage the region has sustained due to the flooding. This letter documents our work.
	
	At the time HUD made its determination of the most impacted and distressed counties, FEMA had been able to survey housing damages only. Due to continued flooding, infrastructure damage was not able to be surveyed.
	
	It wasn't until mid-November of 2019 that the water receded from a majority of the 5500 farmable/tillable acres flooded in Peru. Those acres have continued to flood off and on since, due to levee system damage. The water returned in early March 2020, then receded, and crops were planted. In mid-May the water returned, destroying fifty percent of the planted crops before receding again in mid-June.
	
	Peru State College, located in Peru, is one of the largest employers in several counties, and plays a vital economic role in our community. Having a reliable water source is imperative for the college to continue to fulfill its mission and contribute to the vitality of the region and the state.
	
	The city has spent much of the past year seeking a permanent water solution (we are currently dependent on a temporary water treatment plant), restored wastewater treatment, repaired streets, and repaired levee and riverbank to protect from recurring flooding.
	
	The areas of impact, many of which were not included in the FEMA study, include the following:
	
	• Regional:
	  ○ $7.91 million in economic loss
	  ○ 56 percent decrease in real estate value ($28,636,296)
	  ○ 139 farms impacted
	  12,438 acres prevented from being planted
	  ○ $4.2 million in ag revenue losses due to levee damage
	  ○ $7.2 million "spillover" revenue loss due to decreased ag production
	  ○ 1,529 fewer out-of-state visitors due to loss of tourist attractions
	  ○ Damaged roads, water and wastewater infrastructure
	• Levee System:
	  ○ 10,800 feet of breaches on the 7.55-mile levee system
	  ○ Bid process has started with private contractors
	• City Infrastructure:
	  ○ $6 million to replace water plant
	  ○ $4 million to rebuild roads
	  ○ $2-$10 million to repair and protect wastewater treatment
	• Local Businesses:
	  ○ 100 percent of businesses adversely affected
	  ○ 50 percent of businesses closing due to flood impact
	  ○ 56 percent decrease in real estate value ($28,636,296)
	• Peru State College:
	  ○ Closed for several days
	  ○ Lack of permanent water solution
	  ○ $92.9 million economic multiplier
	• School District:

Number	Comment and Response
	○ $656,000 in lost revenue ○ $53 million decrease in property valuation • Peru Housing: ○ 4% of homes in Peru destroyed ○ 7 families moved away from Peru According to US Census Data, Peru's population in 2018 was 755. The town ranked 38th in the state in household income, and 576th out of 580 (lowest percentile) in per capita income, with average weekly wages of $1,038, according to the 2018 US Bureau of Labor Statistics. In 2018, the estimated median house or condo value was $63,567 (city-data.com). CDBG-DR funds are one of the few remaining options to help Peru recover from the flood. These funds are critical to the City of Peru's ability to complete long-term solutions that will return the town to pre-flood conditions. **Response:** As a county with a federal disaster declaration under DR-4420, communities located in Nemaha County are eligible for assistance under the FEMA PA and HMGP programs, and the CDBG-DR Infrastructure Match Program may provide further support for the local share of eligible costs. DED understands that there are communities, such as Peru, that experienced major damage relative to their size. As a result, DED will include a prioritization criterion for the Infrastructure Match Program that considers the local cost-share per capita to address situations where communities have significant unmet needs relative to their size. Applications for this program are under development and cannot be finalized nor made available prior to HUD approval of this Action Plan. HUD follows a set, data-driven formula, published in the Federal Register, for determining which areas meet its criteria for Most Impacted and Distressed (MID). Although the MID is determined by HUD, not DED, DED recognizes that there are communities outside of the HUD-designated MID with concentrated damages that present major recovery challenges. In an effort to address situations where communities have significant unmet needs relative to their size, DED will include a prioritization criterion for the Infrastructure Match Program that considers the local cost share per capita. Furthermore, as described in this plan, the unmet needs assessment is an ongoing effort; therefore, if additional data exists now or as programs are implemented, DED requests such data be shared to better facilitate long-term recovery.

9	**Comment:** The Nemaha Natural Resources District encompasses 1.6 million acre of southeast Nebraska including Nemaha County and the City of Peru. In 2019 record flooding devastated portions of Nemaha County. Almost all the flood damage was the result of a federal levee failing which had safely protected the area for 70 years. The area impacted by the flooding included cropland, country road infrastructure, several homes and Peru's water supply and sewage treatment systems. It also severely damaged 12 miles of the Steamboat Trace Trail, a popular hiking and biking trail which is owned and operated by the Nemaha NRD; the trail remains closed. Flood water did not recede until November 2019 and the levee remains one of the few unrepaired levees along the Missouri River and its future is uncertain. The economic impact of the flooding has been estimated at $7.9 million, but the potential long-term impacts far exceed that amount. Peru is a small community made up of permanent residents, mostly with moderate and low incomes, and seasonal college students living on limited finances. Funding provided by federal and state sources would greatly aid Peru's ability improve the housing and services needed for residents to remain in the community. Peru and surrounding area are highly dependent on the positive economic and social impact provided by Peru State College. The relationship is symbiotic as the college needs the water, sewer, residential and retail services provided by Peru to operate and successfully carry out its mission. Peru State, like most institutions of higher education, is highly dependent on the resources it can provide its students as a motivating factor to get them to attend their school. Inadequate housing, retail services and utilities would greatly impact the school's ability to recruit students and faculty. The city, county and NRD have all worked with FEMA to obtain FEMA disaster aid funding, but those funds only will cover a small portion of the cost to bring Peru and impacted areas of Nemaha County back to pre-flood viability. Much of the damaged infrastructure must be upgraded or relocated to assure that future flooding will not impair the county and community as the 2019 flood did. Those upgrades will cost millions more dollars then FEMA will provide, or the community can afford. Additional funding sources are critical to assure that the necessary work can be completed. For the past year the NRD has been a member of the Northeast Nebraska Long Term Recovery Group which has a goal to restore the pre-flood quality of life that the citizens of Nemaha County and City of Peru impacted by the flood enjoyed. We are participating as a member not only because we have a vested interest in repairing our trail infrastructure but want to see the area impacted by the flood thrive and grow. It is our understanding that $108.9 million in disaster recovery funding from the U.S. Department of Housing and Urban Development was provided to the Nebraska Department of Economic Development. Those funds are to be allocated to the most distressed and impacted counties in the State. It is our opinion that Nemaha County meets the "most distressed and impacted" criteria and should be considered as such in the DED action plan. We strongly encourage DED to evaluate the impacts to Nemaha County and include Nemaha County in the plan. We appreciate the opportunity to provide comments on the action plan. **Response:** As a county with a federal disaster declaration under DR-4420, communities located in Nemaha County are eligible for assistance under the FEMA PA and HMGP programs, and the CDBG-DR Infrastructure Match Program may provide further support for the local share of eligible costs. DED understands that there are communities, such as Peru, that experienced major damage relative to their size. As a result, DED will include a prioritization criterion for the Infrastructure Match Program that considers the local cost-share per capita to address situations where communities have significant unmet needs relative to their size. Applications for this program are under development and cannot be finalized nor made available prior to HUD approval of this Action Plan.

Number	Comment and Response
10	**Comment:** Peru, Nebraska is a very historic community and home to one of the best colleges in America - Peru State College. I am a member of the PSC Foundation are we are trying to make Peru, Nebraska a healthier place to live for the citizens, student body and professors. The infrastructure needs major repairs and updating. How can the PSC Foundation work together with the DED to achieve a revitalization of Peru, NE. If we can be of assistance, please contact Sara Beth Donovan, the Executive Director of the Peru State College Foundation. **Response:** As a county with a federal disaster declaration under DR-4420, communities located in Nemaha County are eligible for assistance under the FEMA PA and HMGP programs, and the CDBG-DR Infrastructure Match Program may provide further support for the local share of eligible costs. DED understands that there are communities, such as Peru, that experienced major damage relative to their size. As a result, DED will include a prioritization criterion for the Infrastructure Match Program that considers the local cost-share per capita to address situations where communities have significant unmet needs relative to their size. Applications for this program are under development and cannot be finalized nor made available prior to HUD approval of this Action Plan. However, other non-DR resources may be available to assist in revitalization efforts, including but not limited to the CDBG funding opportunities of Downtown Revitalization, Public Works, and Water/Wastewater.
11	**Comment:** Am I interpreting this correctly? CDBG may be used for local share on FEMA projects? **Response:** CDBG-DR can indeed be used for local match on FEMA PA and HMGP projects.
12	**Comment:** For PA projects this is just Cat A and Cat B, is this correct? **Response:** For those who are not familiar, Categories A and B, refers to debris and emergency protective measures. These categories are actually not allowed under the CDBG-DR rules and regulations. Under the Infrastructure Match Program, PA only refers to infrastructure projects, not debris or protective measures.
13	**Comment:** Can you talk more about the rehab of rental housing? Is this only for homes that have been affected by the flood? **Response:** The CDBG-DR allocation that Nebraska received is in direct relation to the flooding that occurred March 2019 – July 2019 (DR-4420). It is really intended to help those that were impacted directly or indirectly by that event. One of the things that has been discussed internally is for supporting a community where a substantial amount of residential housing was damaged, and the community is looking at multi-family housing to bring those individuals back into the community. There are a number of houses that are in the floodplain or at a high risk of being flooded. We want to protect our community by getting these individuals out of the floodplain.

Number	Comment and Response
14	**Comment:** The rehab of rental housing would be included, I understand new construction would be included, but I don't understand the rehab of rental housing unless it has been specifically affected. **Response:** The intention is to work with rental units that have been affected by the flood, and there have been quite a few that were affected in Eastern Nebraska, particularly Sarpy County. We do intend to see a direct tie to flooding on those rental units.
15	**Comment:** Please articulate how the 80% commitment to Dodge, Douglas, and Sarpy Counties was determined. **Response:** This is a HUD requirement based on what was published in the Federal Register and the areas they determined to be the most impacted and distressed.
16	**Comment:** Is CDBG-DR housing investment limited to people who have been personally impacted by the flood or can it include people who currently live in a floodplain? The reason why I am asking the question is that the goal is to get people out of the floodplain. So just thinking about someone who is getting a subsidy for gap financing that currently lives in the floodplain but hasn't been affected yet, would they qualify to buy a house outside of the floodplain with this funding. **Response:** The housing programs in the draft Action Plan cannot be used to fund construction in the 100-year floodplain. The Action Plan prioritizes individuals that were directly impacted by the flood, however new construction or rehabilitation must be outside the 100-year floodplain.
17	**Comment:** I am the one who asked about the question about the 80% to Dodge, Douglas, and Sarpy. I am frankly mystified by it based on what I know of the utility infrastructure in Cass County. I am trying to understand the numbers. I am going to suggest that there is some missing data then. **Response:** HUD requires that 80% of the allocation, after subtracting planning and administration, must be allocated for areas HUD has designated as Most Impacted and Distressed (MID). This is a HUD requirement based on a formula published in the Federal Register. HUD also determines the MID areas, not DED.
18	**Comment:** How do you determine costs amongst projects across the grant projects? If we are submitting a project and there is $15 million in the bucket for projects and there are two applications. How is it handled which percentage goes to which project? For example, is there a rating system? **Response:** Additional details will be provided as policies and procedures are developed, and following HUD approval of the Action Plan.

Number	Comment and Response
19	**Comment:** Is there a reason Purchase Rehab Resale (PRR) is not included in the homeownership program that would serve flood impacted households? **Response:** PRR and CDBG (thereby CDBG-DR) are not the greatest bed fellows, there are a lot of issues. The State determined that some programs such as PRR would fit better within, for example, our Nebraska Affordable Housing Trust Fund Program. That is why during the 2020 cycle we provided some points for projects that are specifically responding to disaster needs. That is also why we had a special cycle for 2019 to provide funding for disaster related projects, and we did fund PRR projects there. We also anticipate in our 2021 cycle there being additional points for disaster related projects. Single-family homes may have experienced some of the greatest damage according to the UNA. However, we don't know how many or which of those households are in the floodplain nor how many or which households are LMI individuals (which is 80% of area-median income (AMI)). This is what we are trying to address in the program design. We are trying to address some of the unique opportunities the CDBG-DR program provides while also addressing those needs through existing programs. Looking at maps and data of the damaged areas, it is likely that many of the impacted households will not meet the LMI requirements of the funding.
20	**Comment:** Am I understanding correctly that funds will not be released until 2022 for the 2nd round of housing allocation via DED? **Response:** The Action Plan lists the projected start date for all housing programs at Q1 2021. However, there are other non-DR housing programs that are operational through DED and other organizations that can help to address needs.
21	**Comment:** Would these funds be available for rental LIHTC homes flooded in Lexington, NE? I was actually asking about when they got the 13 inches of rain in an hour, we had two houses that were actually flooded in Lexington with over $60,000 worth of damage. Would they be eligible? They are not in a flood zone. **Response:** As a county with a federal disaster declaration under DR-4420, communities located in Dawson County, such as Lexington, are eligible for assistance under the proposed housing programs. Any use of CDBG-DR funds under this allocation must have a "tie-back" to DR-4420/Winter Storm Ulmer. Additional details will be forthcoming as more detailed policies and procedures are developed for the housing programs.
22	**Comment:** I am still trying to understand the unmet needs, particularly in infrastructure. Our water and wastewater working with FEMA, we will have 75% of the facility repairs will be reimbursed, but we will still have the 12.5% state share and the 12.5% local share. Am I hearing that the CDBG-DR may be used for the local share on the repair projects? **Response:** Yes, the Infrastructure Match Program can be used to meet unmet local match needs. For the Infrastructure Match Program, applicants should apply for the actual local match that they expect to bear (i.e., their unmet needs). As described in the Action Plan, use of CDBG-DR resources also requires meeting of a CDBG National Objective. Not all projects funded by PA or HMGP may meet the additional requirements for accessing CDBG-DR funds.

Number	Comment and Response
23	**Comment:** I write you this letter in support of your consideration for funding assistance for the city of Peru, Nebraska, as they continue their on-going efforts to recover from the devastating floods of 2019. I am an active real estate agent in southeast Nebraska and Peru is one of the communities I serve. When the floods hit Peru early last year, all real estate activity came to a screeching halt. People will not make a major investment in real estate unless they are reasonably certain that the community will be viable in the future. That issue hangs over the town today and will continue to cast a dark shadow until the water issue is resolved. The infrastructure repair to the Peru water system will be the key to determining if the town survives. I make no exaggeration when I say that this is the most important and challenging problem this town has ever faced. And needless to say, if the city cannot provide water to the city, it will also be the death knell to Peru State College, Nebraska's first College, founded in 1867. I visited with some clients, who have children, who had to relocate to temporary housing in a neighboring town after the floods made their home uninhabitable. The father works at an area manufacturing plant and the mother works weekends at a convenience store on weekends. They want to relocate back to Peru but have concerns about re-investing in Peru without the water issue being resolved. Their financial status does not allow them to make a mistake of buying a home in a town with an uncertain future. I strongly encourage you to consider this application for the City of Peru. Thank you for your time and effort as we try to establish a strong future for southeast Nebraska. **Response:** As a county with a federal disaster declaration under DR-4420, communities located in Nemaha County are eligible for assistance under the FEMA PA and HMGP programs, and the CDBG-DR Infrastructure Match Program may provide further support for the local share of eligible costs. DED understands that there are communities, such as Peru, that experienced major damage relative to their size. As a result, DED will include a prioritization criterion for the Infrastructure Match Program that considers the local cost-share per capita to address situations where communities have significant unmet needs relative to their size. Applications for this program are under development and cannot be finalized nor made available prior to HUD approval of this Action Plan.

Number	Comment and Response
24	**Comment:** I am writing in support of disaster relief funds for the City of Peru and Peru State College. The 2019 flooding had a major impact on Peru's water system, and they are still dependent on a temporary fix. Disaster relief funds will help support a permanent water solution for Peru and the college. The state has invested millions of dollars in the college over the past decade, but without a reliable source of water the college cannot succeed, and the state's investment will not be fully realized. Peru State College serves the SE portion of Nebraska and due to its low tuition, a high percentage of its students are in the low to moderate income levels. Thank you for your consideration. **Response:** As a county with a federal disaster declaration under DR-4420, communities located in Nemaha County are eligible for assistance under the FEMA PA and HMGP programs, and the CDBG-DR Infrastructure Match Program may provide further support for the local share of eligible costs. DED understands that there are communities, such as Peru, that experienced major damage relative to their size. As a result, DED will include a prioritization criterion for the Infrastructure Match Program that considers the local cost-share per capita to address situations where communities have significant unmet needs relative to their size. Applications for this program are under development and cannot be finalized nor made available prior to HUD approval of this Action Plan.

Number	Comment and Response
25	**Comment:** The Northeast Nemaha County Long-Term Recovery Group (LTRG) was formed last fall in response to the historic 2019 Missouri River flooding. This group* is working to support the City of Peru in its flood recovery efforts, pursuing funding so the community can have a permanent water solution (the City is currently still dependent on a temporary water treatment plant), restored wastewater treatment, repaired street, and a repaired levee and riverbank to protect from future flooding. The flooding devastation to Peru and other portions of Nemaha County has resulted in over $58 million in economic loss, with more than $11 million additional loss due to decreased ag production. Local businesses have all been adversely affected, including Peru State College, which is one of the largest employers in southeast Nebraska. Homes were destroyed, families moved from Peru, and the community still awaits recovery due to the need for funding assistance. Restoring Peru's water source and wastewater treatment is vital for its residents, including the College's students who spend the school year on campus and those who are daily commuters. Repairing flood-damaged roads and the Steamboat Trace Trail, which passes through Peru as it runs from Nebraska City to Brownville, are high-priority needs for the community. Protecting the community from future flooding by repairing the levee breach north of Peru is of the utmost importance. All of these fundamental needs will require funding assistance for the City of Peru. This LTRG is asking the DED to consider supporting Nemaha County and Peru through the $108.9 million disaster recovery funds received from HUD. We believe that Nemaha County should also be included in the Most Impacted and Distressed (MID) areas of the State, along with the counties previously identified for this level of funding. Thank you for your consideration. **Response:** HUD follows a set, data-driven formula, published in the Federal Register, for determining which areas meet its criteria for Most Impacted and Distressed (MID). Although the MID is determined by HUD, not DED, DED recognizes that there are communities outside of the HUD-designated MID with concentrated damages that present major recovery challenges. In an effort to address situations where communities have significant unmet needs relative to their size, DED will include a prioritization criterion for the Infrastructure Match Program that considers the local cost share per capita.

26	**Comment:** Good afternoon, please find a letter of support for the City of Peru related to a request for disaster recovery funding from the U.S. Department of Housing and Urban Development for essential water and wastewater infrastructure projects. As outlined in the support letter, the City of Peru was adversely impacted by the Spring 2019 flooding in Nebraska. The flooding caused the levees to be compromised and then overran the existing water treatment facility. If you have any questions regarding the letter or the request on behalf of the City of Peru, please feel free to contact me directly. Peru State College and the City of Peru were both significantly impacted by the record flooding throughout Nebraska in the Spring of 2019. Much of the eastern portion of the state suffered substantial property damage, costly delays for spring planting, and business disruption. However, in addition to the immediate aftermath, the levee breach along the Missouri River just south of Peru will continue to adversely impact the city, College, and portions of Nemaha County. Specifically, the levee breach caused the Peru Water Treatment facility to be overrun, ceasing its capacity to provide an adequate water supply to the city and Peru State College. As a result, the College was forced to close on-campus operations for three days in March 2019 until a strategy was implemented for hauling water from Auburn, NE, to replenish the Peru Water Tower on a daily basis. It wasn't until late August, just before the start of the Fall 2019 semester, that sustainable water supply could be established when a portable water treatment unit was installed at a temporary well. Although the work of many College, City, and County personnel greatly assisted in addressing the short-term water shortage issues facing Peru, a long term strategy must be in place to ensure the viability of both Peru and Peru State College into the next century. Therefore, the Nebraska State College System strongly supports the request for the Nebraska Department of Economic Development to use Nebraska Emergency Management Agency (NEMA) funds to match the necessary FEMA funds for a critical infrastructure project in Peru. Students assess several factors when selecting the College or University that is the best fit for meeting their educational needs. Seldom during this selection process are students asked to consider whether an adequate water supply will be in place throughout their educational journey. This issue confronted more than 2,000 students in March 2019 when flooding occurred across Nebraska, and despite returning to Peru State College, the short-term strategy required students to engage in water conservation, use of portable bathroom facilities, and the dining facility to make significant changes to meal plan offerings. Students visiting Peru State in the Spring were presented with this reality when making college selection decisions, along with future students who participated in a wide range of summer camps that are critical for future recruitment efforts at the College. One of the critical goals for the State College System is to maintain access and affordability for many Nebraska students who want to pursue a four-year degree. We work diligently to maintain a low net price for students, but the open enrollment policy across all three colleges underscores the fact that a sizable number of low-income and first-generation students have relied upon and will continue to rely on Peru State College to fulfill their postsecondary aspirations. As Nebraska's first public four-year College, the 152-year partnership between Peru State College and the City of Peru are intrinsically linked, whereby funding for water and wastewater infrastructure is a critical investment to ensure the long-term survival of both entities for the State of Nebraska. With this context in mind, I ask that the City of Peru be included in the "most distressed and impacted" calculation completed by NEMA for the allocation of funding for infrastructure projects across Nebraska.

Number	Comment and Response
	Response: HUD follows a data-driven formula, published in the Federal Register, for determining which areas meet its criteria for Most Impacted and Distressed (MID). Although the MID is determined by HUD, not DED, DED recognizes that there are communities outside of the HUD-designated MID with concentrated damages that present major recovery challenges. In an effort to address situations where communities have significant unmet needs relative to their size, DED will include a prioritization criterion for the Infrastructure Match Program that considers the local cost-share per capita.
27	**Comment:** We are writing in response to your request for comments on the use of Community Development Block Grant – Disaster Recovery (CDBG-DR) funds. Like much of Nebraska, both the private and public sectors in Valley County suffered devastating losses from the 2019 flooding, winds and winter weather and many of the greatest hardships are still being dealt with today. Funding for Valley County (Ord, Arcadia, North Loup and Elyria) would be most impactful with the support for infrastructure improvements, specifically paved and gravel county roads, not covered by FEMA. Washed out and damaged roads have affected not only rural traffic but have created hardships for farmers and ranchers in accessing their fields and tending to livestock. Additionally, parks within the City and Villages in Valley County are still being repaired and redeveloped to this day. Seeding new grass, reinforcing the Ord Golf Course bridge and redoing tennis courts have all been unforeseen expenses due to last year's winter weather conditions. These damages have impacted residents' and travelers' ability to utilize our parks and recreational facilities. Thank you for your consideration of these needs in Valley County and for your leadership and service to our Nebraska communities. **Response:** As a county with a federal disaster declaration under DR-4420, communities located in Valley County are eligible for the Infrastructure Match Program. However, this program only applies to the local cost-share for the FEMA PA and HMGP programs, and where, among other requirements discussed in this plan, a CDBG National Objective is met. Infrastructure projects not awarded resources under PA or HMGP will need to identify other funding sources, which may include the regular, annual CDBG allocation.

Number	Comment and Response
28	**Comment:** As the State Senator for District 1 in the Nebraska Legislature, I am sending this letter in regard to the public comment for the State of Nebraska's Community Development Block Grant Disaster Recovery (CDBG-DR) Action Plan. Southeast Nebraska was hit hard by the 2019 bomb cyclone and many citizens are still paying for it today. I am requesting that funds from the $108.9 million in CDBG-DR grant be put towards rebuilding the livelihoods of those in southeast Nebraska. Thousands of acres of good farmland have been damaged and many farmers are still unable to farm due to the flooding. It will cost millions of dollars to repair the levee system in Peru. Roads are still damaged and causing a safety hazard. These are just some of the repercussions southeast Nebraska is still facing today. These funds will allow communities like Peru and Brownville to keep their very limited local funds to pay for other necessary items in their budgets. I would encourage the Department of Economic Development to consider allocating funds to rebuilding southeast Nebraska. **Response:** As a county with a federal disaster declaration under DR-4420, communities located in Nemaha County are eligible for assistance under the FEMA PA and HMGP programs, and the CDBG-DR Infrastructure Match Program may provide further support for the local share of eligible costs. DED understands that there are communities, such as Peru and Brownville, that experienced major damage relative to their size. As a result, DED will include a prioritization criterion for the Infrastructure Match Program that considers the local cost-share per capita to address situations where communities have significant unmet needs relative to their size. Applications for this program are under development and cannot be finalized nor made available prior to HUD approval of this Action Plan.

Number	Comment and Response
29	**Comment:** I am writing to you on behalf of the Peru Community Impact Group (PCIG), a local Peru non-profit of which I am the President. Our mission is to impact the community through engagement opportunities, programs and services benefiting residents of Peru and its visitors. The flood has greatly shaped our mission and continued purpose in the community as we remain instrumental in meeting the needs of the community throughout this hardship. PCIG is represented on the Northeast Nemaha County Long-Term Recovery Group (LTRG) that was formed last fall to further address needs of affected infrastructure in our community. Our community is still dependent on a temporary water treatment plant to supply the community, as well as the college, with this vital resource. At the present time residents rely on weekly deliveries from our group to supply additional water needs and to ensure residents conserve as much as possible as there is still no permanent water solution in place and continued uncertainty regarding the levee repair. Damage to our water treatment plant, sewage lagoons, levee and riverbank have had a ripple effect on the rest of our community in terms of streets, housing, loss of businesses, farming and loss of recreation. As a group we are now seeing fewer visitors to our community and fewer residents living in our community equating additional losses to our town post flood. All these needs will require funding assistance for the City of Peru as we look at surviving as a town. The Peru Community Impact Group is asking the DED to consider supporting Nemaha County and Peru through the HUD Disaster Recovery Funds. We strongly believe Nemaha County should be included as a "Most Impacted and Distressed (MID)" area of the State. **Response:** HUD follows a set, data-driven formula, published in the Federal Register, for determining which communities meet its criteria for Most Impacted and Distressed (MID). Although the MID is determined by HUD, not DED, DED recognizes that there are communities outside of the HUD-designated MID with concentrated damages that present major recovery challenges. In an effort to address situations where communities have significant unmet needs relative to their size, DED will include a prioritization criterion for the Infrastructure Match Program that considers the local cost share per capita. Applications for this program are under development and cannot be finalized nor made available prior to HUD approval of this Action Plan. However, as described within this plan, CDBG-DR is a "down-payment" on long-term recovery and other non-DR resources may be available to assist in recovery efforts, including but not limited to the CDBG funding opportunities of Emergent Threat, Public Works, and Water/Wastewater.

Number	Comment and Response
30	**Comment:** The City of Peru, Nebraska, and Peru State College, located in Southeastern Nebraska, has been greatly impacted by the Flood of 2019. The City and College of Peru have been impacted by the lack of a permanent water solution. How are the people in the City of Peru and the people (students, faculty, staff, and administration) at Peru State College supposed to continue living a healthy life? The livelihood of the City and of the College is of utmost importance to the Southeastern Nebraska region. The millions of dollars caused by the flood and the impact that the flood has to the region, local businesses, levee system, city infrastructure, Peru housing, Peru State College, and the school district is astounding! In order for the City and the College to continue in the future, there must be funds now to enable long-term solutions. As Interim Chair of the Peru State College Foundation, one of our Foundation goals is to financially support the students attending Peru State College in order for them to achieve a college education. This College is of paramount importance for all students; it is an open enrollment College; and the College enables students to graduate with a college degree which may have not ever had the opportunity to even attend a college. The Foundation is continuing to work extremely hard to reach donors asking them to start and/or continue with their donations for the reason to financially assist students in their goals of achieving a college degree. In your Action Plan, and because the City of Peru qualifies for funding, I urge you to strongly and seriously consider the millions of dollars that are necessary for the City of Peru and the Peru State College to survive. The Peru State College Foundation will continue our financial support for the students of the College. Thank you for reading this email! And….our Alumni believes….Once a Bobcat, Always a Bobcat! **Response:** As a county with a federal disaster declaration under DR-4420, communities located in Nemaha County are eligible for assistance under the FEMA PA and HMGP programs, and the CDBG-DR Infrastructure Match Program may provide further support for the local share of eligible costs. DED understands that there are communities, such as Peru, that experienced major damage relative to their size. As a result, DED will include a prioritization criterion for the Infrastructure Match Program that considers the local cost-share per capita to address situations where communities have significant unmet needs relative to their size. Applications for this program are under development and cannot be finalized nor made available prior to HUD approval of this Action Plan. However, as described within this plan, CDBG-DR is a "down-payment" on long-term recovery and other non-DR resources may be available to assist in recovery efforts, including but not limited to the CDBG funding opportunities of Emergent Threat, Public Works, and Water/Wastewater.

Number	Comment and Response
31	**Comment:** Originally formed in 1981 in Nebraska, Mercy Housing's mission is to create stable, vibrant and healthy communities by developing, financing and operating affordable housing for family, seniors, and people with special needs who lack the economic resources to access quality, safe housing opportunities. As our portfolio ages, we are looking for ways to continue to be good stewards of our properties. This includes maintaining properties in good condition and renovating the properties when necessary to ensure that they remain safe and viable homes for low income residents for many years to come. We appreciate the opportunity to provide comment to the State of Nebraska Disaster Recovery Action Plan. Our main request is in regard to section 5.2.2 of the plan which discusses the Affordable Housing Construction Program component. This section of the plan details the application process for the $26,000,000 in available program funds as including two application processes: the first in partnership with NIFA for the nine percent LIHTC program, and the second through DED directly for projects in which LIHTC is not a funding source. We request that the Plan be revised to allow the use of these program funds in partnership with the NIFA 4% LIHTC Program as well as the currently defined partnership with NIFA on the 9% LIHTC Program. Rehabilitation of rental housing is noted as an eligible activity under the Affordable Housing Construction Program portion of the plan. Tax exempt bonds and 4% LIHTC are a preferred method for rehabbing existing rental properties when additional soft funding, rental subsidy or some combination of the two are available. Allowing the Affordable Housing Construction Program funds to be used on 4% LIHTC projects would make feasible certain rehabilitation projects that otherwise would have required 9% LIHTC from NIFA's limited allocation pool. Allowing 4% LIHTC projects to make use of these funds could ultimately result in a larger number of units preserved and produced through the NIFA and DED partnership. Thank you again for providing the opportunity to submit comments on the proposed Nebraska Disaster Recovery Action Plan. We hope you will consider incorporating our suggestions moving forward. **Response:** In consultation with NIFA, DED will clarify LIHTC Program eligibility in the final version of the Action Plan to allow for this increased flexibility in program delivery.

32	**Comment:** For more than 35 years, Habitat for Humanity has served Dodge, Douglas and Sarpy Counties by providing affordable housing solutions to low-to-moderate income families. In that time, we have created pathways to homeownership for 700+ LMI households by building and renovating homes; additionally, we have provided more than 1000 critical repairs to owner-occupied houses that have allowed homeowners to remain in their homes safely. Through this work, we have witnessed the extent and effects of substandard housing in our communities firsthand. We have been a proud to partner with HUD and to work hand-in-hand with Nebraska Affordable Housing Trust Fund to address the need for safe, affordable housing in Douglas and Dodge Counties. Habitat for Humanity has also leveraged our volunteer capacity and expertise in home repair and affordable housing to contribute to flood response and recovery. In the immediate aftermath of the March 2019 floods, we mobilized 435 volunteers in clean-up efforts and crisis hotline coverage. More than 850 individuals were served by our clean-up assistance efforts, in which 588 tons of debris was removed from properties affected by the floods. Our Home Improvement Program has added a Flood Repair Initiative to its services in order to provide flood-specific assistance to those impacted by this crisis and to get families back into clean, safe homes as soon as possible. To date, Habitat Omaha has performed nearly $300,000 worth of repair work under this initiative. Habitat Omaha has worked with Sarpy County Long Term Recovery Group to gauge interest in homeownership through Habitat. Thirty-six households who were the victim of the flood have expressed interest in partnering with Habitat to achieve homeownership. Habitat Fremont has also been highly active in disaster response in recovery and has provided volunteers to assist in recovery and supported homeowners who were impacted by the flood. Habitat Omaha is lucky to have a resident expert on flood response and recovery specifically as it relates to housing. Mark Coffin is a retired military officer with 27 years of cumulative operations, planning, and leadership experience. He leads Habitat Omaha's disaster response efforts. In addition, he is a member of NE Voluntary Organizations Active in Disaster (NEVOAD), a member of Heartland Community Organizations Active in Disaster (COAD), and serves on the Executive Committee of the Sarpy County Long Term Recovery Group (Construction/Flood Repair). Mark initiated and served as the lead for Disaster Response Training Exercises 2016-2018 which was a collaborative effort between Habitat Omaha, Team Rubicon, and the Salvation Army. He led the Douglas and Sarpy County flood response logistics and coordination for Habitat Omaha and the collaboration with Team Rubicon in 2019. Mark participated in the public comment session and helped inform our public comments below. In partnership with Habitat for Humanity of Sarpy County and Habitat for Humanity of Fremont, Habitat for Humanity of Omaha submits the following public comments on the CDBG-DR Action Plan Fact Sheet and Action Plan-PC. We eagerly support the following: • The Homeowner Incentive Program – to provide housing counseling, training, and homebuyer down payment and closing cost assistance (as outlined on Table-4, page 55 of the document, page 73 of the pdf) • We specifically support that eligible applicants include non-profits and units of local government (page 74) • We support the following language on page 75 of the document: Where appropriate, participating organizations will coordinate with developers funded through the Affordable Housing Construction Program to match displaced homeowners and prospective homeowners with new housing units.

- The Affordable Housing Construction Program – to increase affordable housing supply with new construction (as outlined on Table-4, page 55 of the document, page 73 of the pdf)
- Construction/Rehabilitation – to finance the acquisition and rehabilitation or new construction of homes for homebuyers (as outlined on Figure 5-1 on page 68, page 86 of the pdf)
- Clearance – Habitat supports the use of funds for Clearance related to flood impact and encourage "Clearance" to include demolition of unsalvageable properties

We have the following requests for changes to the plan based on our experience in working directly with LMI and vulnerable populations:

Acquisition and rehabilitation that is outlined on the Fact Sheet and on Figure 5-1 on page 68 is not included on page 55. We strongly encourage acquisition and rehabilitation be included in the Affordable Housing Construction Program.

Rental Housing – Habitat supports the inclusion of LIHTC support for disaster-affected households as well as public housing that has been impacted. We are unclear how CDBG-DR funding would affect single-family rentals owned by investors. We would only support single-family rental investments in cases where the property is owned by a non-profit or government entity.

We strongly encourage an increase of the $500,000 maximum for the Homeowner Incentive Program OR for the ability to apply for more than $500,000.

We have the following recommendations:

- That the application period for CDBG-DR open as soon as possible. The need is now. To date, 35 flood-affected, LMI households have expressed an interest in homeownership through Habitat.
- That the applications for CDBG-DR be separate from the traditional NAHTF applications. The need for affordable housing is great, and it would be best if these programs focused on separate priorities. As mentioned, we have 36 flood-affected, LMI households who are interested in homeownership, and they would likely require a higher subsidy. We have more than 400 applications annually for our traditional homeownership program. The need is significant, and we wouldn't want one program to detract from the other.
- We ask that those who currently own homes or rent in a flood plain be included as households who could be served through the Affordable Housing Construction Program or the Homeowner Incentive Program for future prevention and resiliency. This was mentioned in the public comment session but was not mentioned in the Action Plan.
- We strongly recommend your consideration in having HOUSING EXPERTS be part of the scoring process in the application review.

We appreciate the good work of DED in executing so many good programs for the people of our state and look forward to continued partnership in providing affordable housing solutions.

Response: DED appreciates our continued partnership with Habitat for Humanity in meeting housing needs throughout the state. For clarity and consistency, the Homeowner Incentive Program (so named and described in the draft for public comment) is now referred

to as the Homeowner Assistance Program throughout the document. See below for responses to the specific issues raised by Habitat for Humanity Omaha:

- Regarding acquisition and rehabilitation, the Table 4-1 on page 55 is intended to illustrate which HUD National Objective(s) each program addresses. For details on each program, see the respective program descriptions in Section 5.
- Regarding rental housing, for-profit organizations (e.g., investors) are not eligible entities under the proposed housing programs.
- Regarding the maximum award for the Homeowner Assistance Program, this will be increased to $1,000,000 to facilitate applications from entities with a larger number of survivors to support.
- Regarding the application period, DED understands and appreciates the urgency of implementing these programs; however, it is also important to understand that these are new programs and there are a number of interrelated steps required to launch, including, but not limited to, compliance with all federal regulations and cross-cutting requirements, HUD review and approval, establishing processes and procedures, training staff and applicants to ensure compliance with state and federal regulations, marketing programs to ensure beneficiaries to programs are not limited to those with the most access and rather to those with greatest need, etc.
- Regarding the recommendation to separate applications for CDBG-DR and NAHTF, these are separate funding sources with varied requirements. This recommendation seems to refer to two distinct areas of the Affordable Housing Construction Program, "Application 2" for Affordable Rental Housing and, separately, Affordable Homeownership. For the former, as described in the Action Plan, the NAHTF application process may be amended for use in accessing CDBG-DR; this does not imply that the two resources will be paired within a single application to compete against each other, rather that the application will allow for the applicant to designate the need so the appropriate resource(s) can be identified. This approach allows applicants to complete a more familiar application process while accessing a new funding resource. DED will clarify this distinction in the final version of the Action Plan. As with any application for funding, we want to ensure the most appropriate resource will be paired with the project need and outcome. Furthermore, because the federal regulations associated with CDBG-DR may not be able to assist all flood-impacted households (e.g., unable to meet the income requirements), the 2021 NAHTF application cycle will prioritize projects that serve flood-impacted areas that address unmet needs that cannot benefit through the CDBG-DR program. Wherever reasonably possible, DED intends to make use of established, familiar policies and procedures to enable expedient implementation. As to Affordable Homeownership, this subsection will be clarified to follow a similar approach as provided for Affordable Rental Housing.
- Regarding applicants in the floodplain, the programs do not permit construction or rehabilitation within the 1% Special Flood Hazard Area (SFHA). However, DR-4420 survivors from within the 1% SFHA may be eligible for units outside the SFHA under the programs. We understand that there are a number of homes that are in the floodplain or otherwise at a high risk of being flooded (again or for the first time). And, we want to protect the health and safety of our communities by getting these individuals out of the floodplain. However, the Federal Register and CDBG-DR regulations require all investments "tie-back" directly or indirectly to the declaration, DR-4420.

Number	Comment and Response
	• Regarding the scoring process, as with other DED resources for housing, application review committees include housing experts and others with relevant knowledge, experience, and training.
33	**Comment:** The Homeowner Incentive Program will be a huge benefit to LMI homeowners. This piece will have a direct impact on our community as the majority of the 1,300 homes affected by the 2019 floods are/were homes for LMI families. Our question is: Is a non-profit the only entity eligible to apply for this category? The Affordable Housing Construction Program will also be a huge benefit. With all of our affected homes being located in the floodplain and the inability to expend traditional grant funding in a floodplain, this program will allow us to rehabilitate existing and construct new rental units to help relocate people out of the floodplain. We attended the first public meeting regarding CDBG-DR and learned that the Infrastructure Program is only for helping communities with the non-federal local match for approved FEMA PA and HMGP projects. We had hoped that mitigation projects, not just the match to FEMA PA or Hazard Mitigation Grant Program (HMGP), would have been allowed. By the time we learned that CDBG-DR had to be a match to FEMA or HMGP, NEMA had allocated their entire HMGP allocation. Entities can still submit NOIs for that funding, but at this point, it would be last on the list. We also have all but two of our FEMA PA projects completed and are waiting on reimbursement. We have a couple of questions: Will we be allowed to submit an application for the 25% that is our responsibility? Early on, the State had said they would be reimbursing communities 12.5% so that the remaining responsibility of the community was only 12.5%. If reimbursement is allowed through CDBG-DR, does one need to apply for only 12.5%? **Response:** For clarity and consistency, the Homeowner Incentive Program (so named and described in the draft for public comment) is now referred to as the Homeowner Assistance Program throughout the document. Eligible entities for the Homeowner Assistance Program include units of local government or non-profit organizations. In either instance, the entity must be approved to provide housing counseling, homeownership education, and homebuyer programs. For the Infrastructure Match Program, applicants should apply for the actual local match that they expect to bear (i.e., their unmet needs). As described in the Action Plan, use of CDBG-DR resources also requires meeting of a CDBG National Objective. Not all projects funded by PA or HMGP may meet the additional requirements for accessing CDBG-DR funds. Furthermore, CDBG-DR is a "down-payment" on long-term recovery and other non-DR resources may be available to assist in recovery efforts, including but not limited to the CDBG funding opportunities of Emergent Threat, Planning, Public Works, and Water/Wastewater.

Number	Comment and Response
34	**Comment:** As Assistant Director of Utilities for Lincoln, Nebraska, I welcome this opportunity to provide comments on the Action Plan for the Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) for Disaster Recovery program. These funds are ideally suited for our unmet needs as a result of the Flood in 2019 designated DR-4420. We are working closely with the Federal Emergency Management Agency (FEMA) to address the damage to Lincoln's wellfields that are located near Ashland, Nebraska along the Platte River. One of our horizontal collection wells and the island it is located on are in Sarpy County. The other damages are located in Saunders County. Total damage is estimated at almost $15 M and mitigation is estimated to be as much as $31M. A damage and mitigation inventory are attached. As you know, FEMA provides funding to repair or rebuild infrastructure under the Public Assistance (PA) program and provides funding for mitigation projects under both the PA and HMGP programs but requires a 25% match from the recipients. The City of Lincoln's Water System sustained heavy damage and needs to restore our full capacity. The wellfields near the Platte are Lincoln's only source of drinking water. In closing, I look forward to application for the HUD CDBG Disaster funding available to Nebraska and encourage Lincoln's unmet needs to be considered for funding. This funding would provide additional assistance in restoring this vital infrastructure and continue to provide safe, high quality and adequate supply of drinking water for the City of Lincoln. **Response:** As a county with a federal disaster declaration under DR-4420, communities located in Lancaster County, such as Lincoln, are eligible for assistance under the FEMA PA and HMGP programs, and the CDBG-DR Infrastructure Match Program may provide further support for the local share of eligible costs. Applications for this program are under development and cannot be finalized nor made available prior to HUD approval of this Action Plan.

8 ATTACHMENTS

A. PUBLIC HOUSING AUTHORITY SURVEY

DED conducted a survey of all impacted PHAs and counties to identify unmet needs specific to public housing authorities. The survey was distributed via email to PHA representatives in disaster-declared areas requesting information regarding whether housing or rental units were damaged from the storm events, the extent of damage, the status of repair, total damage costs, resources available to address damages, and remaining costs and repairs necessary to restore the units (see Table 8 1).

Table 8-1: PHA Survey Questions

Number	Questions
1	Were any housing properties damaged from the storm events?
2	Please describe which housing properties were damaged, where they are located, and extent of damage.
3	Were any individual housing units (apartment, duplex, etc.) damaged from the storm events?
4	Where are the units that were damaged (town name)? What is the property name?
5	Were households displaced? If yes, how many?
6	Have those families moved back? If not, where are they now?
7	Have those units been repaired? If not, are they occupied?
8	What are the overall damage costs? Estimate or actual.
9	What amount of those costs was/is/will be covered by insurance and/or other sources?
10	Are there costs remaining? If yes, which properties? Will these costs be eligible or be a part of an on-housing funding source such as infrastructure funding? Describe remaining costs.
11	Are there housing or housing unit repairs that still need to be made? If yes, which properties? Describe remaining costs.
12	For those housing properties that were damaged, are there funding needs for resiliency, hazard mitigation measures, such as elevation, drainage, relocation of HVAC systems? If so, please describe.
13	How many tenants were displaced from the housing units that sustained damage from the storm?
14	How long were the tenants displaced from their housing unit?
15	Have there been any tenants that have not been able to return to their housing unit due to incomplete repairs or the housing unit being unlivable?

The PHA survey was distributed to the following entities:

- Fremont Housing Agency
- City of Valley
- Holy Name Housing
- City of Bellevue
- Village of Waterloo
- City of North Bend
- Village of Nickerson
- Village of Inglewood
- City of Fremont
- Greater Fremont Development Council
- Metropolitan Area Planning Agency
- King's Garden and Habitat for Humanity-Omaha
- Papio-Missouri NRD
- U.S. Department of Housing and Urban Development-Omaha

DED further engaged individuals who replied to the survey to fully understand and support efforts to address the damage. Through this process, DED identified four PHA facilities with reported damage, many of which have had major repairs completed. The remaining unmet needs for these facilities is outlined in section 2.4.2.3 of this Action Plan.

B. GOVERNOR'S TASK FORCE

The following are participating agencies and organizations in the Governor's Task Force for Recovery. The Governor's Task Force plays a leading role in coordinating stakeholder engagement and discussion to support a full recovery for the state and all Nebraskans. Agencies and organizations are also identified based on their association with Recovery Support Functions, which include:

- Infrastructure Systems;
- Housing;
- Economic and Agricultural;
- Health and Social Services;
- Community Planning and Capacity Building; and
- Natural and Cultural Resources.

Organizations that support local community recovery are indicated as "Local Impact Group." Organizations that participate in multiple RSFs are indicated as "Cross-Cutting Issues."

DED will continue to participate in the Governor's Task Force as an aspect of its ongoing commitment to consult with stakeholders to ensure consistency of this Action Plan with priorities in local jurisdictions.

Table 8-2: Governor's Task Force Participants

Agency	Recovery Support Function
Alliance for the Future of Agriculture in Nebraska	Agriculture
American Red Cross	Local Impact Group
Better Business Bureau	Economics
Boys Town National Hotline	Health & Human Services
Buffalo County Community Organizations Active in Disaster	Local Impact Group
Buffalo County Community Partners	Local Impact Group
Cass County Long-Term Recovery Group	Local Impact Group
Catholic Charities	Local Impact Group
Center for Disaster Philanthropy	Local Impact Group
Center for People in Need	Cross-Cutting Issues

Agency	Recovery Support Function
Coalition for a Strong Nebraska	Cross-Cutting Issues
Conservation Nebraska	Natural & Cultural Resources
Credit Advisors Foundation	Economics
Crisis Cleanup	Local Impact Group
Dawson County Long-Term Recovery Group	Local Impact Group
Douglas County Long-Term Recovery Group	Local Impact Group
East Central Long-Term Recovery Group	Local Impact Group
Episcopal Diocese of Nebraska	Cross-Cutting Issues
Federal Emergency Management Agency	Cross-Cutting Issues
Food Bank for the Heartland	Cross-Cutting Issues
Food Bank of Lincoln	Cross-Cutting Issues
Fremont Area Community Foundation	Local Impact Group
Fremont Area Habitat for Humanity	Housing
Great Plains United Methodist Conference on Relief	Local Impact Group
Greater Dodge County Long-Term Recovery Group	Local Impact Group
Habitat for Humanity of Omaha	Housing
Hagerty Consulting	Cross-Cutting Issues
Heartland Disaster Recovery Group	Local Impact Group
Heartland Hope Mission	Local Impact Group
Heartland United Way	Local Impact Group
History Nebraska	Natural and Cultural Resources
Hot Meals USA	Cross-Cutting Issues

Agency	Recovery Support Function
Housing Foundation for Sarpy County	Housing
Kansas-Nebraska Convention of Southern Baptists	Cross-Cutting Issues
Kearney Area Long-Term Recovery Group	Local Impact Group
Kearney Community Foundation	Local Impact Group
League of Nebraska Municipalities	Local Impact Group
Legal Aid of Nebraska	Cross-Cutting Issues
Lutheran Family Services	Local Impact Group
Mennonite Disaster Services	Local Impact Group
Metro Area Continuum of Care for the Homeless	Housing
Mexican Consulate of Omaha	Local Impact Group
Nebraska Appleseed	Cross-Cutting Issues
National Guard	Cross-Cutting Issues
Nebraska Association of County Officials	N/A
Nebraska Association of Emergency Managers	Local Impact Group
Nebraska Business Development Center	Economics
Nebraska Chamber of Commerce	Economics
Nebraska Children & Families Foundation	Housing
Nebraska Community Foundation	Cross-Cutting Issues
Nebraska Department of Administrative Services	Cross-Cutting Issues
Nebraska Department of Agriculture	Agriculture
Nebraska Department of Economic Development	Economics

Agency	Recovery Support Function
Nebraska Department of Education	Cross-Cutting Issues
Nebraska Department of Environment & Energy	Infrastructure
Nebraska Department of Health & Human Services	Health & Human Services
Nebraska Department of Insurance	Economics
Nebraska Department of Labor	Economics
Nebraska Department of Natural Resources	Natural & Cultural Resources
Nebraska Department of Transportation	Infrastructure
Nebraska Emergency Management Agency	Infrastructure
Nebraska Game & Parks	Natural & Cultural Resources
Nebraska Grocers Association	Agriculture
Nebraska Impact	Cross-Cutting Issues
Nebraska Investment Finance Authority	Housing
Nebraska Preparedness Partnership	Economics
Nebraska Regional Officials Council	Economics
Nebraska State Attorney General's Office	Cross-Cutting Issues
Nebraska State Dairy Association	Agriculture
Nebraska State Legislature	Cross-Cutting Issues
Nebraska Strong Recovery Project	Health & Human Services
Nebraska Voluntary Organizations Active in Disaster	Cross-Cutting Issues
Noah's Canine Crisis Response Team	Local Impact Group
Northeast Nemaha County Long-Term Recovery Group	Local Impact Group

Agency	Recovery Support Function
Office of Governor Pete Ricketts	Cross-Cutting Issues
Omaha Community Foundation	Cross-Cutting Issues
Partnership for a Healthy Lincoln	Health & Human Services
Presbyterian Disaster Assistance	Cross-Cutting Issues
Salvation Army	Local Impact Group
Santee Sioux Nation Society of Care	Cross-Cutting Issues
Sarpy Disaster Recovery Group	Local Impact Group
Saunders County Long-Term Recovery Group	Local Impact Group
Serve Nebraska	Cross-Cutting Issues
Team Rubicon	Local Impact Group
The Wellbeing Partners	Health & Human Services
United States Army Corps of Engineers	Infrastructure
United States Department of Agriculture	Agriculture
United States Housing & Urban Development	Housing
United Way of Columbus	Local Impact Group
United Way of the Kearney Area	Local Impact Group
United Way of the Midlands	Local Impact Group
University of Nebraska Extension	Health & Human Services
University of Nebraska Public Policy Center	Health & Human Services
Washington County Long-Term Recovery Group	Local Impact Group
World Renew Disaster Response Services	Local Impact Group

~~C. CERTIFICATION DOCUMENTATION~~

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C. CERTIFICATIONS

Per the Federal Register[159] the State of Nebraska certifies that with its Action Plan:

a. The State of Nebraska certifies that it has in effect and is following a residential anti-displacement and relocation assistance plan in connection with any activity assisted with funding under the CDBG program (See Section 6.3.2.6~~6.2.2.6~~).
b. The State of Nebraska certifies its compliance with restrictions on lobbying required by 24 CFR part 87, together with disclosure forms, if required by part 87.
c. The State of Nebraska certifies that the Action Plan for disaster recovery is authorized under State and local law (as applicable) and that the State, and any entity or entities designated by the State, 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 and this notice. The State of Nebraska certifies that activities to be undertaken with funds under this notice are consistent with its Action Plan.
d. The State of Nebraska certifies that it will comply with the acquisition and relocation requirements of the URA, as amended, and implementing regulations at 49 CFR part 24, except where waivers or alternative requirements are provided for in this notice.
e. The State of Nebraska 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.
f. The State of Nebraska certifies that it is following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.115 or 91.105 (except as provided for in notices providing waivers and alternative requirements for this grant). Also, each local government receiving assistance from a State grantee must follow a detailed citizen participation plan that satisfies the requirements of 24 CFR 570.486 (except as provided for in notices providing waivers and alternative requirements for this grant) (See Section 6.5.2~~6.4.2~~ and Attachment C.).
g. The State of Nebraska certifies that it has consulted with affected local governments in counties designated in covered major disaster declarations in the non-entitlement, entitlement, and tribal areas of the State in determining the uses of funds, including the method of distribution of funding, or activities carried out directly by the State.
h. The State of Nebraska certifies that it is complying with each of the following criteria:
    (1) Funds will be used solely for necessary expenses related to disaster relief, long-term recovery, restoration of infrastructure and housing and economic revitalization in the most impacted and distressed areas for which the President declared a major disaster in 2019 pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1974 (42 U.S.C. 5121 et seq.).
    (2) With respect to activities expected to be assisted with CDBG–DR funds, the action plan has been developed so as to give the maximum feasible priority to activities that will benefit low- and moderate-income families.
    (3) The aggregate use of CDBG–DR funds shall principally benefit low- and moderate-income families in a manner that ensures that at least 70 percent (or another

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[159] 83 Fed. Reg. 28 (February 9, 2018).

percentage permitted by HUD in a waiver published in an applicable Federal Register notice) of the grant amount is expended for activities that benefit such persons.

(4) The State of Nebraska 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 State of Nebraska certifies to the Secretary that it lacks sufficient CDBG funds (in any form) to comply with the requirements of clause (a).

i. The State of Nebraska certifies that the grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), the Fair Housing Act (42 U.S.C. 3601– 3619), and implementing regulations, and that it will affirmatively further fair housing (see Section 6.3.2.86.2.2.8).

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j. The State of Nebraska certifies that it has adopted and is enforcing the following policies, and, in addition, that the State of Nebraska will require local governments that receive grant funds to certify that they have adopted and are enforcing:

(1) A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations; and

(2) A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location that is the subject of such nonviolent civil rights demonstrations within its jurisdiction.

k. The State of Nebraska certifies that it and its subrecipients currently have or will develop and maintain the capacity to carry out disaster recovery activities in a timely manner. The State of Nebraska has reviewed the requirements of this notice. The State of Nebraska certifies to the accuracy of its Public Law 115–56 Financial Management and Grant Compliance certification checklist, or other recent certification submission, if approved by HUD, and related supporting documentation referenced at A.1.a under Section VI and its Implementation Plan and Capacity Assessment and related submissions to HUD referenced at A.1.b. under Section VI.

l. The State of Nebraska 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.

m. The State of Nebraska 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.
n. The State of Nebraska certifies that it will comply with environmental requirements at 24 CFR part 58.
o. The State of Nebraska certifies that it will comply with applicable laws.

The State of Nebraska acknowledges that any person who knowingly makes a false claim or statement to HUD may be subject to civil or criminal penalties under 18 U.S.C. 287, 1001 and 31 U.S.C. 3729.

(Signed version submitted to HUD.)

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Signed

Date