

Texas General Land Office

State of Texas CDBG-Mitigation Regional Mitigation Program
MIT COG MOD Summary



Delivered to the GLO: October 18, 2022

Approved by the GLO:

Council of Governments: Capital Area Council of Governments

Allocation Calculation Sheet Packet Page Number: _____

HUD MID and State MID Allocations

HUD MID Total	\$25,125,000
State MID Total	\$27,128,000
Grand Total COG Allocation	\$52,253,000

Table 1

Funding Limits

Minimum Amount Waiver Requested	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Minimum Amount	\$1,000,000	
Maximum Amount	N/A	

Table 2

Regional Risk Mitigation

Explain how the method of distribution reduces regional risks, how it will foster long-term community resilience that is forward-looking and encourages the prioritization of regional investments with regional impacts in risk reduction for hurricanes, tropical storms and depressions, and flooding in the HUD-identified and State-identified most impacted and distressed areas.

Central Texas is transected by several major river basins and miles of rivers subject to seasonal riverine and flash flooding. In addition to seasonal and other storm-related flooding, the 10-county Capital Area region is highly vulnerable to flooding and flash flooding due to tropical depressions, storms, and/or hurricanes moving inland from the Texas coast. Parts of the region are known as “flash flood alley”, due to geographic and topographic features of the region and proximity to the Texas coast. In particular, four counties were the most severely impacted by Hurricane Harvey: Bastrop, Caldwell, Fayette, and Lee. The Capital Area Council of Governments (CAPCOG) has developed a consistent, understandable Method of Distribution (MOD) that reflects mitigation needs of the region and its communities. CAPCOG staff researched potential objective factors and explored various scenarios involving different formulas and funding options with the CAPCOG Homeland Security Task Force. Public comments and input from the Public Planning Meetings held on May 9, 2022, and May 13, 2022, were considered in the development of the MOD.

After considering the various factors, the following factors were selected:

1. Households Impacted by historic disasters (2002 – 2019)
2. FEMA Individual Assistance (IA) registration data (2002 -2019)
3. Identified Low- to Moderate-Income (LMI) Population
4. Social Vulnerability Indices (SoVI) Rankings

The above listed factors were drawn from publicly available datasets. Together, they provide an indicator of local mitigation needs in the four identified counties. Using the Social Vulnerability Index (SoVI) rankings, identified LMI populations, and the FEMA Individual Assistance (IA) Non-Personally Identifiable Information (PII) registration and damage data 2002 – 2019.).

Each of the factors were given equal weight (25%) in the allocation formula. The formula was used to allocate funding to cities in the four identified CAPCOG counties. Any allocation for a city that would receive less than the \$1,000,000 threshold were rolled back up into the county totals. Any city with a center or seat of government; to wit: the City Hall, is not physically located within the four identified CAPCOG counties were not selected.

The total allocation of \$52,253,000 was approved by the CAPCOG Executive Committee, with \$25,125,000 of the HUD MID allocated solely to Fayette County. The remaining \$27,128,000 will be divided between Bastrop, Caldwell, and Lee Counties based on the allocation factors listed above. Project selection for these allocations will ensure that the overall allocation totals for HUD MID and State MID are met. Sub-grantees will be responsible as project sponsors for developing their individual project proposals, adhering to all applicable requirements, managing all other aspects of implementing the projects, and providing information for required reports.

The CAPCOG MOD will provide funding for mitigation projects to reduce regional riverine, flash flooding, and seasonal flooding risks and damage to infrastructure and communities due tropical depressions, storms, and/or hurricanes moving inland from the Texas coast.

Table 3

Distribution Factors

The COG has selected the following distribution factors:

Distribution Factor*	Weight	Documentation Source	Explanation of Factor Selection and Weighting
Households impacted by historic disasters (2002 – 2019)	25%	Federal Emergency Management Agency (FEMA)	Selected factor is quantifiable and reports the actual number of FEMA declared disasters during a specified time period. It further supports the number of damaged structures within an impacted area during the specified time period.
Federal Emergency Management Agency (FEMA) Individual Assistance (IA) registration data	25%	Federal Emergency Management Agency (FEMA)	Selected factor is quantifiable and reports the actual count of FEMA applicant registrations for Hurricane Harvey (DR-4332-TX) per geographic area. It further supports the number impacted households within an impacted area.
Low-to Moderate Income percentage	25%	US Housing and Urban Development (HUD)	Selected factor is quantifiable and reports the SU Census Identified count of Low- to Moderate Income persons in a geographic area. HUD and GLO require the LMI be a factor in allocations. CBDG funds must be expended to benefit 50% low- and moderate-income (LMI) communities.
Social Vulnerability Indices (SoVI) Rankings	25%	US Census Bureau Texas General Land Office	Selected factor is quantifiable and reports the actual US Census identified variables to determine the overall ranking of a community’s resilience when confronted by external stresses on human health.

Table 4

*Add more rows if needed

Threshold Factors

If any, please describe threshold factors that were used to allocate funds.

Threshold Factor*	Documentation Source	Explanation of Factor Selection
N/A	N/A	N/A
N/A	N/A	N/A

Table 5

*Add more rows if needed

Eligible Activities

Activities must meet the criteria outlined in the Regional Mitigation Program (COG MODs) section of the State of Texas CDBG Mitigation Action Plan.

The COG has addressed prioritization of eligible activities as follows:

<input type="checkbox"/>	The COG has chosen not to limit subrecipients in the region to projects meeting regional priority activities.		
-OR-			
<input checked="" type="checkbox"/>	The COG has limited subrecipients in the region to selecting projects meeting the following regional priority activities:		
<input checked="" type="checkbox"/>	Flood control and drainage improvement, including the construction or rehabilitation of stormwater management systems	<input checked="" type="checkbox"/>	Water and sewer facilities
		<input checked="" type="checkbox"/>	Communications infrastructure
		<input checked="" type="checkbox"/>	Provision of generators
<input checked="" type="checkbox"/>	Natural or green infrastructure	<input type="checkbox"/>	Removal of debris
<input checked="" type="checkbox"/>	Public Facilities (shelter, library, etc.)	<input checked="" type="checkbox"/>	Streets or bridges
<input type="checkbox"/>	Economic development (assistance to businesses for the installation of disaster mitigation improvements and technologies; financing to support the development of technologies, systems, and other measures to mitigate future disaster impacts; “hardening” of commercial areas and facilities; and financing critical infrastructure sectors to allow continued commercial operations during and after disasters)	<input type="checkbox"/>	Other infrastructure improvements
		<input checked="" type="checkbox"/>	Public Services (<i>within the 15% cap</i>)
		<input checked="" type="checkbox"/>	FEMA Hazard Mitigation Grant Program (HMGP) cost share for CDBG-MIT eligible project
		<input type="checkbox"/>	Buyouts or Acquisitions with or without relocation assistance, down payment assistance, housing incentives, or demolition
		<input type="checkbox"/>	Activities designed to relocate families outside of floodplains

Table 6

Ineligible Activities

Ineligible activities are outlined in the Regional Mitigation Program section of the State of Texas CDBG Mitigation Action Plan, as amended, and should be referenced accordingly.

Covered Projects

A Covered Project is defined as an infrastructure project having a total project cost of \$100 million or more, with at least \$50 million of CDBG funds, regardless of source (CDBG-DR, CDBG-MIT, or CDBG). Covered projects included in the Regional Mitigation Program must meet specific criteria set forth by HUD's CDBG-MIT Notice 84 FR 45838 (August 30, 2019) and the State of Texas Mitigation Action Plan. Inclusion of a Covered Project in the MOD does not guarantee funding until a full eligibility review is completed and the subsequent action plan amendment receives HUD approval.

Will the Method of Distribution include a Covered Project?

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
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Table 7

If yes, please provide the following information:

- The eligible entity benefitting from the project;
- A description of the project and how it meets the definition of a mitigation activity; and
- The cost of the Covered Project.

Not Applicable.

Table 8

Low-and Moderate-Income Requirements

Below is the strategic plan of how the method of distribution meets the minimum 50 percent low- and moderate-income (LMI) requirement.

CAPCOG’s strategic plan to meet the LMI National Objective incorporates the data selections and weights. The LMI percentage is weighted at 25% and the SoVI is also weighted at 25% in the allocation worksheet. Therefore, 50% of the allocations are focused on serving the economically distressed areas in Bastrop, Caldwell, Fayette, and Lee counties that are 51% or more low-to moderate-income households or that will benefit households with incomes below 80% of the Area Median Income (AMI). Our regional partners and stakeholders have been informed about the intention and purposes of this funding. They will focus their attention on identifying projects that will meet the regional threshold after the funding allocation has occurred.

Table 9

Public Hearing Information

The Action Plan requires at least one Public Planning Meeting prior to submitting the Preliminary MOD to the GLO for review and one Public Hearing before submission of the Preliminary MOD to GLO for final approval. If the COG holds multiple outreach activities, please contact the GLO for additional documentation forms.

Meeting Type	Public Planning Meeting	MOD Public Hearing
Date(s):	5/9/22 & 5/13/22	
Location(s):	CAPCOG 6800 Burleson Rd, Bldg. 310, Ste 165, Pecan Rm Austin, TX 78744 Fayette County EMS 1721 N Von Minden Rd La Grange, TX 78945	
Total Attendance:	17 (13 via MS Teams) & 31 (3 via MS Teams)	

Table 10

Direct Notice. As required, personal notice was sent to eligible entities at least **five (5)** days in advance of the public hearing using the following method(s) (at least one must be selected):

Method	Public Planning Meeting	MOD Public Hearing
	Date(s) Sent	Date(s) Sent
<input checked="" type="checkbox"/> Email	5/4/22 – 5/9/22	
<input type="checkbox"/> Fax	Not Applicable	Not Applicable
<input type="checkbox"/> Hand Delivery	Not Applicable	Not Applicable
<input type="checkbox"/> Certified Mail	Not Applicable	Not Applicable

Table 11

Website Notice. As required, public notice was posted on the COG website at least **five (5)** days in advance:

Website Notice	Public Planning Meeting	MOD Public Hearing
Date(s)	5/3/22	

Table 12

Published Notice. As required, notice of the public hearing was published in at least one regional newspaper at least **three (3)** days in advance. Notice of the public hearings were published in the following regional newspaper(s):

Newspaper Name	Public Planning Meeting	MOD Public Hearing
	Date Published	Date Published
<i>Austin American Statesman</i>	5/4/22	
<i>Bastrop Advisor</i>	5/4/22	
<i>Bastrop County Insider/Elgin Courier</i>	5/4/22	
<i>Fayette County Record</i>	5/6/22	
<i>Flatonina Argus</i>	5/5/22	
<i>Lexington Leader</i>	5/5/22	
<i>Lockhart Post-Register</i>	5/6/22	
<i>Schulenburg Sticker</i>	5/5/22	
<i>Smithville Times</i>	5/4/22	

Table 13

Public Comment Period

Provide the dates of the public comment period for the COG MOD.

Start Date:					
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Table 14

Citizen Participation

Describe how the COG conducted their citizen and non-governmental organization outreach, including any efforts exceeding GLO minimum public participation requirements. These efforts should comply with the Citizen Participation Plan provided to the GLO.

<p>CAPCOG posted program information on its website, published public hearing notices in local newspapers, published and distributed program information through its newsletter, <i>Connections</i>. CAPCOG will continue to identify other government agencies and organizations that can provide additional input and expertise and expand upon representation of the residents of Bastrop, Caldwell, Fayette, and Lee Counties.</p>
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Table 15

Accommodations. Describe any efforts to notify and accommodate those with modified communication needs, such as posting information and providing interpretive services for persons with Limited English Proficiency and for people with hearing impairments or other access and functional needs (ADA compliance).

CAPCOG uses a variety of methods to communicate with non-English speaking residents. CAPCOG and Fayette County have Spanish speaking employees who are available to provide translation services upon request. In addition, CAPCOG subscribes to a telephone service that provides translation services for multiple languages. CAPCOG will provide American Sign Language (ASL) and other language interpretation services, if requested within 48 hours of the public meetings.

Notices for public hearings and media releases and advisories will be sent to local print and broadcast media outlets that serve the residents of the four counties that are part of this program. The media distribution will include those who serve non-English speaking and Limited English Proficiency populations and persons with disabilities, including those with visual and/or hearing impairments, behavioral health disorders, and/or IDD.

CAPCOG will provide reasonable accommodations for persons attending the public meetings. Requests from persons needing special accommodations will be requested 48 hours prior to the public meetings. The meetings will be conducted in English. Requests for language interpreters or other special communication needs will be accommodated if made at least 48 hours prior to the public meetings.

Table 16

Affirmatively Furthering Fair Housing (AFFH) Statement

All subrecipients will certify that they will affirmatively further fair housing (“AFFH”) in their grant agreements and will receive GLO training and technical assistance in meeting their AFFH obligations. Additionally, all project applications will undergo AFFH review by GLO before approval of projects. Such review will include assessment of a proposed project’s area demography, socioeconomic characteristics, housing configuration and needs, educational, transportation, and health care opportunities, environmental hazards or concerns, and all other factors material to the AFFH determination. Applications should show that projects are likely to lessen area racial, ethnic, and low-income concentrations, and/or promote affordable housing in low-poverty, nonminority areas in response to natural hazard related impacts.

COG Principal Contact Information

Contact Name:	Betty Voights
Title:	Executive Director

Table 17

Contact and Signatory Authority

Attached is a Resolution from the COG approving the method of distribution and authorizing its submittal to the Texas General Land Office. I certify that the contents of this document and all related attachments are complete and accurate.

Signature

Date

Betty Voights
Printed Name

Executive Director
Title

bvoights@capcog.org
Email Address

512-916-6000
Telephone Number