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**Comments on the State of Texas Hurricane Harvey Action Plan for CDBG-MIT Funds**
January 10, 2020
Via email to cdr@glo.texas.gov

The Houston Organizing Movement for Equity (HOME) and the Coalition for Environment, Equity and Resilience (CEER) appreciate the opportunity to provide comments on the State of Texas Hurricane Harvey Action Plan for Community Development Block Grant funds for Mitigation allocated by Federal Register Notice on August 30, 2019.

HOME is a coalition of twenty organizations that advocate for a just recovery, including fair housing, sustainable jobs, and environmental justice, and for a more equitable region and state.

The Coalition for Environment, Equity and Resilience (CEER) is a collaboration of more than twenty-four non-profit organizations that work cooperatively to raise awareness of the connection between pollution, place, and the public's health. CEER developed in the Greater Houston region shortly after Hurricane Harvey, when community members and leading non-profits recognized that philanthropic entities were being relied upon to fill gaps in environmental enforcement, monitoring, community education, and coordination. CEER emphasizes land, water, air, waste, and housing policies that reduce human exposure to pollution and strengthens environmental conservation. These policies are best reflected in CEER's eight point plan, a copy of which is attached to this letter.

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## I. Introduction

The common conception is that "disasters don't discriminate", and many people think of disasters as affecting everyone equally, regardless of race, ethnicity, income or wealth; this isn't true. Some people and some communities are more devastated by disasters and have a harder time recovering, in part because of pre-existing disparities in infrastructure, storm protection, and geographic and social vulnerability.[1] "Disasters are not mere events, they are lengthy historical processes that begin long before a hurricane makes landfall."[2]

The magnitude of a disaster is, in fact, a product of historical inequities. During Hurricane Harvey, for example, if homes in certain neighborhoods in Houston and Port Arthur had been elevated, or even protected by a higher standard of flood protection infrastructure, they would not have flooded as badly. If hazardous industrial uses had not been placed in communities of color, those families would not have been exposed to high levels of toxic chemicals in floodwater and toxic release events.

Segregation forced many communities of color into areas that are not only more vulnerable to the impacts of a disaster like Hurricane Harvey, but will become increasingly vulnerable as sea levels rise and climate change increases the frequency and severity of disasters. Mitigation that addresses equity not only reduces future risk, it reduces the impact and cost of disasters generally. "[D]isasters do not end with the receding of flood waters or the cessation of tremor, they continue and can be compounded by recovery processes that do not take equity, local history, and cultural practices into account."[3]

Communities across Texas are already confronting the stresses of climate change, inequality, and aging infrastructure as well as acute shocks such as heat waves, wildfires, drought, and floods. Building resilience and mitigating hazards empowers Texans to invest in their communities in ways that allows them to emerge in a stronger position after tough times and to live better in good times.

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[1] See, e.g., Thomas Gabe, Gene Falk, Maggie McCarty, and Virginia Mason, Hurricane Katrina: Social-Demographic Characteristics of Impacted Areas, Congressional Research Service Report to Congress (November 5, 2005); Alice Fothergill and Lori Peek, Poverty and Disasters in the United States: A Review of Recent Sociological Findings, Natural Hazards 32: 89–110, 2004; and, Shannon Van Zandt, Walter Gillis Peacock, Wesley E. Highland, and Samuel D. Brody, "Mapping social vulnerability to enhance housing and neighborhood resilience", Housing Policy Debate 22(1):29-55 (January 2012).

[2] Roberto Barrios and Colette Pichon Battle, "Equity in Disaster Recovery, Mitigation and Adaptation" (2018). Available: https://www.law.columbia.edu/sites/default/files/microsites/gender-sexuality/Gender_Justice_Fall_2018/paper_-_colette_pichon_battle.pdf

[3] *Id* at 2. *See, also:* Junia Howell and James R. Elliott, "Damages Done: The Longitudinal Impact of Natural Hazards on Wealth Inequality in the United States". *Social Problems, Oxford University Press* (August 14, 2018). Available: https://academic.oup.com/socpro/advance-article/doi/10.1093/socpro/spy016/5074453*and* Rebecca Hersher, "How Disaster Recovery Favors the Rich", *All Things Considered, National Public Radio* (March 5, 2019). Available: https://www.npr.org/2019/03/05/688786177/how-federal-disaster-money-favors-the-rich

The Federal Register definition of "mitigation" recognizes the importance of reducing long-term risk and the suffering and hardship caused by disasters; "[f]or purposes of this notice, mitigation activities are defined as those activities that increase resilience to disasters and reduce or eliminate the long-term risk of loss of life, injury, damage to and loss of property, and suffering and hardship, by lessening the impact of future disasters." (84 Fed. Reg. 169 at 45840)

Ensuring that all Texans are better protected and better able to recover from future disasters, whatever form they may take, requires equitable mitigation that eliminates or reduces disparities between communities and prioritizes the most at-risk areas of the state.

## II. Equity

Resilience is the ability to withstand and recover from disasters quickly, in a way that mitigates future damage and vulnerability, and in a way that goes beyond physical infrastructure. Low-income communities and communities of color are disproportionately affected by and have a harder time recovering from a disaster because of both geographic and social vulnerability forced on them by segregation, discrimination, and the cumulative effects of previous disasters on wealth and access to opportunity. For its Natural Disaster Resilience Competition (NDRC) HUD defined a resilient community as one which "is able to resist and rapidly recover from disasters or other shocks with minimal outside assistance," and that plan and implement disaster recovery that mitigates future threats "while also improving quality of life for existing residents and making communities more resilient to economic stresses or other shocks." Improving the quality of life for existing residents and making them more resilient to other shocks, including economic stress that can push middle and working class families into poverty following a disaster, is at the core of our concern for equity in disaster recovery, and integral to a successful and sustainable mitigation strategy.[4]

[4] Equity and civil rights concerns are integral to a successful and sustainable disaster recovery. Reducing segregation, is not only a legal and moral obligation, it is good for economic development. Metropolitan areas with high poverty rates and high levels of segregation have worse economic performance than less segregated areas. Rates of both income growth and property value growth are slower for segregated regions, for all areas, races, and income levels. More inclusive regions also generate more long-term growth. A study of the cost of segregation in the Chicago region found that reducing the level of segregation to the median level of segregation in the country's 100 largest metro areas would result in an additional $4.4 billion in income, 83,000 more people with bachelor's degrees, and a 30% drop in the homicide rate.
Metropolitan Planning Council and Urban Institute, *The Cost of Segregation: Lost Income. Lost Lives. Lost Pontential,* (March 2017) Available at:
http://www.metroplanning.org/costofsegregation/default.aspx?utm_source=%2fcostofsegregation&utm_medium=web&utm_campaign=redirect *See, also:*
http://www.metroplanning.org/costofsegregation/default.aspx?utm_source=%2fcostofsegregation&utm_medium=web&utm_campaign=redirect; *and:* Emily Badger, "Why Segregation is Bad for Everyone", *City Lab* (May 3, 2013) Available at: https://www.citylab.com/life/2013/05/why-segregation-bad-everyone/5476/; Li, Huiping, Harrison Campbell, and Steven Fernandez. "Residential segregation, spatial mismatch, and economic growth across US metropolitan areas." Urban Studies 50.13 (2013): 2642–2660; Benner Chris, and Manuel Pastor. "Brother, can you spare some time? Sustaining prosperity and social inclusion in America's metropolitan regions." Urban Studies 52.7 (2015): 1339–1356.

The impact of segregation and historical disinvestment in communities of color is a disaster recovery issue. Low-income communities and communities of color have often been forced into the most geographically vulnerable areas, and a history of discriminatory zoning has often placed heavy industrial and environmentally hazardous land uses in those communities. This has not only increased their vulnerability to natural and man-made disasters, but depressed their property values, making it difficult for these families to move to safer areas. The impact of repeated disasters, for example, repetitive flooding, forces low and moderate income families into poverty, decreasing the resilience of these families and the communities they live in, and making it harder for them to recover from subsequent disasters. There is also a national history of locating assisted and affordable housing into more segregated and economically distressed areas, depriving low and moderate income families of choices about where they live. Ensuring that we are not repeating patterns of racial, ethnic, and economic segregation, that we are addressing the needs of people with disabilities and the elderly, that we are locating rebuilt rental housing in safer areas and giving homeowners meaningful choices about relocating to safer areas, and addressing the historically neglected infrastructure in these communities to mitigate future disasters is the only way to effectively mitigate the effects of future disasters.

*Veronica lives in East Harris County, with her husband, daughters, and grandchildren. She works as a house cleaner, and daughters are in school. Her home was completely inundated by Harvey's floodwaters, and has flooded twice since - once during an unnamed heavy rain in May, and again during Tropical Storm Imelda. Each time she has to make the awful choice of living with dangerously soaked walls and furniture that will likely mold and endanger her family, or make financial sacrifices, tear out everything and start over. Choosing to repair her house has cost her all of her savings, and she knows the house is still at risk. Some of the problem could be caused by basic drainage improvements, but even to have the open ditches dredged (which should be part of basic maintenance) she had to take valuable time from work to testify at Harris County Commissioners' Court in November 2019.*

*For Veronica, and the residents of neighborhoods like Beaumont Place, serious neglect and adjacent construction has increased the risk of flood inundation. Veronica's family should be bought out, but their property is small, and has low economic value. Unless equity is fully integrated into MIT planning Veronica and other like her will continue to flood. This will perpetuate poverty, and pose a public health risk.*

As the Action Plan acknowledges, disaster recovery can present an opportunity to affected communities, like Veronica's, to examine a wide range of issues and recover in a way that creates more sustainable, resilient, and inclusive communities for all Texans.

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Despite this, the Action Plan does not explicitly recognize the fact that lower-income people and communities of color most often have limited access to mitigation and recovery resources. By mirroring the mainstream mitigation programs that have failed to reach low-income and communities of color in the past, the Action Plan demonstrates no insight into the challenges it faces. The Notice specifically requires grantees to "assess how the use of CDBG-MIT funds may affect members of protected classes under fair housing and civil rights laws, [and] racially and eithnically concentrated areas of poverty". (84 Fed. Reg. 45847) The Action Plan does not contain this assessment.

An equitable and effective mitigation strategy must include the following:

A. Equity must be prioritized in disaster recovery and mitigation programs.
   a. Programs must prioritize people over property value. No cost/benefit analysis should use property value as a metric for benefit instead of number of people or housing units protected.
   b. Historical inequities that have made some communities more vulnerable and less able to recover must be addressed and corrected.

B. Disaster recovery and mitigation processes must not be used to permanently displace low-income communities and communities of color, or to facilitate displacement by gentrification and "urban renewal".

C. Mitigation planning must include input from the most affected communities, and community engagement processes must recognize that these are the communities least able to participate in conventional process. For example, families may not be able to take time off work or afford childcare in order to attend meetings, may not have the kind of internet access necessary to respond to online surveys, and do not have the kind of access or political power that ensures local elected officials are responsive to their needs. GLO must make specific efforts to do outreach to these communities, and ensure that they have as much input as wealthier communities that have the resources to engage at a high level.

D. Buyout and relocation programs must provide low-income families with enough resources that they have a meaningful choice to move, and to move to safer areas. Buyout programs must also involve communities in planning, which the goal of keeping community networks together and mitigating wider risks.

E. Risks from industrial and hazardous uses must be mitigated. The elevated level of risk to communities, often communities of color, located near these hazards is a critical problem, one exacerbated by natural disasters.

## III. Methodology

We have serious concerns about the methodology used to create the selection criteria for CDBG-MIT programs and projects. Targeting the most urgent mitigation needs with the most impact means taking into consideration with data, maps, and scoring criteria, issues of vulnerability and equity. Under the applicable Appropriations Act, an Action Plan must "detai[l] the proposed use of all funds including the criteria for eligibility and how the use of these funds will address mitigation in the most impacted and distressed (MID) areas." (84 Fed. Reg. 45938-45839) As presented, the state's methodology is not transparent, and raises serious concerns about whether funds will reach the hardest hit areas of the state and the most vulnerable and at-risk populations. The state needs to adjust or explain its methodology as follows:

### A. Eligibility Criteria

"Unlike other forms of Federal disaster recovery assistance, CDBG-DR and CDBG-MIT grants have a statutory focus on benefiting vulnerable lower-income people and communities and targeting the most impacted and distressed areas" (84 Fed. Reg. 45838) The Action Plan identifies 140 impacted and distressed counties across three disasters, but it fails to provide a methodology for identifying and investing in lower-income people and communities within those counties, or for prioritizing the most impacted and distressed areas. It is possible to be eligible geographically (i.e., at the county level) and still excluded at the level of project allocation. Everything in the plan is at the county level. Nowhere in the Action Plan are lower-income people specifically identified or planned for. Lower-income communities are neither mapped nor made the focus of any specific funding. Identifying the most impacted and distressed *areas* at the county level is not enough to meet specific needs of low-income people at the sub-county level. This is exactly how disaster recovery and mitigation programs l systematically exclude the lower-income families and communities that are least protected, most impacted by disasters, and face the most obstacles to recovery.

Any approach that uses property value will fail to prioritize LMI families and communities as required by the Notice. If damage or need is based on the total cost of damages to property, assets, and public infrastructure, then damage costs would be higher in wealthier areas because of the higher value of the property and assets, and because of higher past investments in infrastructure. Lower-income people and communities have, by definition, lower value properties, a higher proportion of renters, and they receive fewer investments in public infrastructure. As a result, mainstream approaches to calculating the "most impacted" will disproportionately privilege wealthier areas. To avoid this problem, factors like number of injuries, number of deaths, number of people sheltered, number of homes damaged (regardless of cost), number of people who registered for assistance, number of people rescued, and number of people in temporary housing should be used instead. None of these factors use property value as the basis for disaster impact and therefore do not inherently favor the wealthy. While we recognize that both HUD and GLO based their selection of MID areas on "unmet need", HUD's Notice requires that the GLO develop programs that favor lower-income people and communities. In order to comply, the Action Plan must ensure that property values

are not used to prioritize projects or evaluate costs and benefits of a particular project or program.

B. Composite Disaster Index (CDI)

Why does the methodology for the CDI include disasters for which CDBG-MIT funds are not available, including wildfires, drought, and hail? While we understand the severity of these kinds of disasters, CDBG-MIT funds can only be used to address mitigation needs related to the identified risks from hurricanes/tropical storms/tropical depressions, severe coastal/riverine flooding, and in the case of funds allocated for disasters in 2015 and 2016, tornadoes.

The CDI does not account for future risk; all calculations are based on data from the past 20 years. "Mitigation solutions designed to be resilient only for threats and hazards related to a prior disaster can leave a community vulnerable to negative effects from future extreme events." (84 Fed. Reg. 45847) The Notice is clear that it expects grantees to mitigate the risks of future disasters, for example, "[g]rantees must consider high wind and continued sea level rise and . . .the frequency and intensity of precipitation events." (84 Fed. Reg. 45847) Particularly given that the last two precipitation events, Hurricane Harvey and Tropical Storm Imelda, were record levels of precipitation, basing risk on the last 20 years instead of looking at how to predict these events based on the trajectory of their frequency and intensity would leave communities vulnerable.

Why does the calculation of the CDI include all 254 counties in Texas, and not solely the 140 counties eligible for CDBG-MIT funds? Both Social Vulnerability (SVI) and Per capita market value used the universe of eligible counties instead of all counties. Comparing eligible areas to non-eligible areas creates a different distribution than calculating risks using just the 140 eligible counties; this distorts the CDI scores of eligible counties and will result in a misallocation of CDBG-MIT funds in both the program competitions and regional allocations.

Beyond the inclusion of disasters for which CDBG-MIT funds are not available, why does the state use the same CDI for all three competitive grant programs when the 2015 and 2016 programs include tornadoes as an eligible hazard, and the Hurricane Harvey program does not? GLO should create a separate CDI for each of the three programs, 2015, 2016, and Hurricane Harvey, and include (1) only the hazards to which each program must be connected, and (2) only the counties eligible for each program's funds.

We are particularly concerned about these choices because they appear to pull funds away from the areas most affected by hurricanes/storms/depressions and coastal/riverine flooding , the two hazards that the majority of CDBG-MIT funds must address. For example, the majority of counties with the most frequent wildfires are not CDBG-MIT eligible counties, nor are many of the counties with the most severe drought and hail. We note that the areas of the state most vulnerable to storms and flooding are also some of the areas with the largest populations of affected persons.

The CDI methodology produces a distribution of counties more frequently affected by seven hazards relative to other counties, and weighted by the hazards with the greatest impact on human casualties and property loss. However, this is not the distribution most relevant to the CDBG-MIT funds. Counties are ranked by the highest frequency per hazard, including hazards that are not eligible for mitigation using CDBG-MIT funds. Because the scores are weighted by the relative impact of each hazard on property loss and human casualties, wildfires (an ineligible hazard) are weighted more heavily than riverine flooding or tornadoes (eligible hazards). Normalizing the distribution twice also means that outliers, counties with the most severe risk for eligible hazards, are pulled towards the middle of the distribution, meaning that their relative risk for eligible hazards looks smaller than it actually is. **In other words, if the CDI was based only on eligible counties and eligible hazards, it would result in a shift in county rankings and funding awards.**

The state must change its CDI to include only eligible counties, only eligible hazards, and future risk, and create a separate CDI for each competitive grant program and for the regional allocation program.

C. Social Vulnerability Index (SVI)

We commend the inclusion of the SVI as a factor in the methodology, for the reasons stated earlier in these comments. SVI is a factor that identifies existing conditions of inequality and most urgent need, is critical to an equitable distribution of funds and one that complies with civil rights requirements, and helps ensure the most effective use of funds. We also appreciate that the state is using only the 140 eligible counties for this analysis.

Peer-reviewed research on social vulnerability confirms there is a need for transparency in the methods used to determine vulnerability, on the selection of an appropriate vulnerability index, and on how to adapt the index when county-scale aggregation downplays areas of actual vulnerability. If a default index is to be used, most governments tend to use the Center for Disease Control's social vulnerability index (SVI) for public policy purposes, not the SoVI from U. South Carolina which is often used for academic research. (Armas and Gavris, 2013; Holand and Lujala, 2013; and Tate, 2010).

Therefore, we would like additional information about the following:

1. Why was the South Carolina version of the SVI selected?
2. Which variables are used in this version of the South Carolina Hazard Vulnerability Institute's SVI?
3. Is proximity to environmental hazards considered as part of the SVI analysis?
4. How was the grouping of variables for the Principle Component Analysis done and how did the state determine which variables went into Principal Components?
5. In the map on page 155 of the Action Plan, it is not clear whether the state has mapped the SVI scores or z-scores for each county. Please clarify this.

6. What are the breakpoints for each category: high, medium high, medium, medium low, and low and how were those breakpoints determined?
7. Why is the state using the county as the unit of analysis for SVI? If the end goal is to ensure that CDBG-MIT funds mitigate risk in the most affected areas, determining SVI score at the county level rather than at a lower geographic level means that areas with greater economic inequality will have lower SVI scores, even if there are areas within those counties with very high levels of social vulnerability. This may steer funds away from the hardest-hit areas that are most affected by pre-existing inequities and where mitigation funds would be most effective.
8. While lack of vehicle access is one of the 15 SVI indicators, very little of the CDBG-MIT Action Plan pertains to the transportation/mobility vulnerability of families. Generally, the action plan does not address the affordable transportation needs of individuals and families, including persons with disabilities and other high-risk populations, in light of disaster recovery and longer-term affordable housing. How will the plan take into account short term and longer-term transportation needs of at-risk families?

D. Per Capita Market Value

We appreciate that the PCMV was calculated for the universe of eligible counties only. However, it is unclear how the categories were determined and how the breaks were decided. Please explain.

We appreciate that the goal of using Per capita market value as a criterion is to ensure that funds target areas with less capacity (resources) to conduct mitigation programs. However, in order to target the most vulnerable and resource-deficient communities, per capita market value should be analyzed on a census tract basis. It is also important that per capita market value not be a static indicator, as the market will change over the years in which these grants will be available. We are particularly concerned that without implementation of anti-displacement policies like those described in the Action Plan, many LMI neighborhoods, particularly neighborhoods of color who have historically been denied infrastructure investment, will face displacement because they are finally receiving infrastructure investment.

We urge GLO, as part of both its AFFH assessment and as a scoring requirements, to determine the possibility that the program will fuel gentrification and channel resources away from the most vulnerable populations these mitigation funds are intended to serve, and to require serious strategies to mitigate that displacement. The assessment of gentrification impacts should be conducted annually throughout the life of the program, and the program should make changes as needed to deal with outcomes that are harmful to LMI communities.

E. Project in the Local Plan

While we understand that projects in a local adopted Hazard Mitigation Plan (HMP) may have already been identified and evaluated related to specific hazards, we are concerned that this preference for local HMP projects may discourage larger and more regional project applications, and the kind of strategic and high-impact strategies that CDBG-MIT is intended to fund.

Effective and impactful disaster mitigation projects are often regional in nature to address risk at scale, and the structure that is outlined in the State Action Plan could be a disincentive to regional, collaborative projects. Further, the effect of the current requirements in the draft plan will result in regions like Harris County only being able to access a relatively small part of the funding, even though they bore the brunt of the property and life damage from the storm. Allowing more flexibility in regional projects would allow for a more equitable distribution of the funds.

Additionally, the GLO should allow - and even encourage - an entity to be part of multiple joint applications (as the lead or as a partner). This will foster collaboration while also giving entities access to more money, in addition to the individual project awards. Given that flood events and their impacts often cross jurisdictional boundaries, regional collaboration may be the most effective way to reduce flood risk. The GLO should not penalize collaborative projects. The way that the rules are written now, such efficiency would be penalized or severely limited.

In the Federal Register Notice, HUD states that;

> [t]he Administration cannot emphasize strongly enough the need for grantees to fully and carefully evaluate the projects that will be assisted with CDBG–MIT funds. One of the goals of CDBG–MIT is to set a nationwide standard that will help guide not just future Federal investments in mitigation and resilience activities—to include the mitigation of community lifelines, but state and local investments as well. The level of CDBG– MIT funding available to most grantees cannot address the entire spectrum of known mitigation and resilience needs. Accordingly, **HUD expects that grantees will rigorously evaluate proposed projects and activities and view them through several lenses before arriving at funding decisions**, including ensuring that already committed public or private resources are not supplanted by CDBG–MIT funds. (84 Fed. Reg. 45838; 45839-45840) (emphasis added)

While HUD suggests that "consideration of projects and activities encompassed within the applicable FEMA HMP" could be an appropriate consideration, this consideration is not merely whether or not the activity or project is included in a local plan; there must also be "a judgment of whether those projects/activities represent targeted strategic investments for the grantee based on current or foreseeable risks." Funding projects or activities in a HMP "where, for example, there has been no recent review of the risk reduction value of the investment or the

project/activity has been carried in the plan for years but has limited risk reduction value" would be contrary to the purpose of the federal allocation. (84 Fed. Reg. 45838; 45840)

We recommend that the cap on application submissions should be removed by eliminating the credit against entities for regional applications.

F. Management Capacity

Capacity and performance are critical issues. The Action Plan must include a detailed description of how these scoring criteria are defined and how they related to ensuring capacity. For example, applicants can receive the highest number of points under this criteria if they have "[n]o prior or current CDBG contracts with GLO."

It is difficult to think of any jurisdiction within the most impacted and distressed counties, particularly within the HUD-defined most impacted and distressed areas, that does not have a current or prior CDBG contract with GLO. Many of these jurisdictions have current CDBG-DR contracts for Hurricane Harvey recovery programs, and these are the same areas of the state that have been hit repeatedly, by Hurricane Rita, Hurricane Ike, Hurricane Dolly, the 2015 and 2016 floods, Hurricane Harvey, and tropical storm Imelda. Essentially, applicants with no experience in or demonstrated capacity to administer CDBG grants will receive the same number of points as applicants with demonstrated capacity and a clear record of performance. This is inconsistent with HUD's increased emphasis on management capacity and oversight of funds in this allocation, and seems to undermine the state's own interest in capacity and performance.

Additional clarity regarding the terminology "on schedule" is needed, as well as an explanation of why it is being used as a best-practice metric.

G. Project Impact

How Texas plans to evaluate the costs and benefits of projects is central to how funds will be awarded and the public must be able to understand how this evaluation will be done. The "Project Impact" criteria in the Action Plan does not provide this information.

First, how will "cost per persons benefiting" and "percentage of persons benefiting within the jurisdiction" be determined? For example, will "cost" include an evaluation of the costs of not doing the project? How will the number of persons benefitting from a particular project be determined? Will this be a standard formula or can each applicant determine this for themselves? Will there be a clear set of criteria and data by which costs and benefits must be determined by each applicant? Second, the ranking itself is not clear. Is there mere inclusion of a cost per person or percentage of persons benefiting in the application enough or do these need to be above a certain threshold? How would this help rank applications if any application over a certain threshold gets the same number of points?

Benefit-cost analysis often produces decisions that discriminate against lower-income people and communities. Similar to the practice of red-lining, which was federal policy for many years and is now recognized as a tool of discrimination, the current federal policy of benefit-cost analysis (BCA, which determines the net present value of competing alternatives) must be recognized as biased against the poor. BCA provides a false sense of transparency and rigor and is deeply flawed when applied to non-structural mitigation projects in which benefits are a direct function of property value. A non-structural project for a wealthy property will easily come out on top when compared to a low-income property.

A similar but more indirect bias exists for structural projects as well, which partially explains why lower-income communities experience underinvestment in infrastructure. Even though this problem is well known, the GLO is still arbitrarily requiring the use of BCA to make decisions about hazard mitigation. (AP at 192) This approach is inequitable and violates the HUD requirement to distribute public mitigation funds primarily to benefit LMI Texans, and in compliance with civil rights laws.

Currently, the draft Action Plan states that identified covered projects will be required to conduct a BCA, while BCAs for natural and green infrastructure projects will be encouraged. Further, the BCA is specifically focused on the built environment, rather than green infrastructure. Preservation of natural areas, which will provide benefits to the community in perpetuity, are not being appropriately compared to grey infrastructure projects which have a limited lifespan. We encourage the GLO to use other criteria in making these assessments, including giving greater weight to the LMI national objective selection criteria, requiring applicants to evaluate green infrastructure solutions, and using the community's Social Vulnerability Index (SVI) score when giving priority to projects under Section 4.4.5.10.

Hazards and disasters are multi-dimensional problems that cannot be fully addressed by economic analysis alone (i.e., BCA). Many of the social benefits of mitigation are not quantifiable; for example, public safety goals surpass economic goals in importance and yet are more difficult to quantify and thus cannot be part of BCA analysis (cost of a life?).

Mitigation decisions must consider both qualitative and quantitative factors. If economic criteria alone drove action, then some areas would be left unprotected because it would be uneconomical to serve them. This is an ethical dilemma that has played out in real life, as some areas indeed live with inferior levels of protection. But government decisions should not be made on economic information alone, and for good reason. Decision-makers have to consider all aspects of a problem.

The productive efficiency promised by benefit cost analysis is not the only outcome goal. Public safety, human rights, community demand, public image, the environment, and avoidance of lawsuits are other considerations, among others. In the case of the Action Plan, alternative economic analysis techniques could be used in lieu of BCA, such as cost effectiveness analysis,

which determines the lowest cost option among competing alternatives with the same benefits (e.g., lives saved).

BCA is unnecessary for other reasons. A nationwide study of thousands of BCA's for all types of mitigation projects found that the overall BCA is 4:1 or higher; that is, benefits are at least four times higher than costs (cited on pp. 22 of the Action Plan). This finding provides a basis for establishing a policy that views hazard mitigation as a *de facto* cost-efficient investment for which formal analysis of BCA is not necessary. Such a policy would provide an unbiased way of prioritizing projects.

The Action Plan must consider making such a policy statement in order to level the playing field for lower-income residents. The 4:1 finding above was based on combining thousands of projects. Likewise, packaging projects together should be promoted as another way to balance out the benefits between rich and poor and to mitigate the bias that is inherent in benefit cost analysis. The Action Plan should recommend these practices as approaches that local jurisdictions can use to overcome the inherent bias of BCA. The Action Plan should not be submitted to HUD until the public has had an opportunity to view and comment on how this criterion will work.

The Notice itself is clear that the BCA is flawed, providing several alternatives to the FEMA BCA analysis, and an "alternative demostration of benefits." This alternative makes clear that the deficiencies in the BCA disadvantage vulnerable populations and exclude non-quantitative outcomes from the analysis. (84 Fed. Reg. 45851) The state is not required to use the FEMA BCA even for covered projects, and in discussions of cost-benefit determinations for non-covered projects, the state must provide a clear methodology in the Action Plan.

H. Leverage

We agree with both the GLO and HUD that this funding should be used to leverage other non-CDBG funding. However, we are concerned that this requirement may disadvantage larger regional projects with larger requests for CDBG-MIT funds. Additionally, other available funding may be allocated on criteria that are not compatible with CDBG-MIT. For example, funding that evaluates benefits based on property value would not align with CDBG requirements for serving LMI populations, or for mitigation activities that do not align with traditional USACE infrastructure projects.

I. Mitigation/Resiliency Measures

It is unclear how this criterion is defined. Are these measures that were taken by the applicant before submitting the application? Measures that are included in the application? Does this disadvantage less-wealthy jurisdictions that have not had the resources to take these measures?

We support the use of a data-based formula to allocate funds and select projects. But that formula must account for deficiencies in FEMA and other data, existing inequities and level of vulnerability, and ensure that the needs of all Texans affected by Hurricane Harvey are taken into account.[5]

J. Other Scoring Related Issues

Chapter 4.4 overlooks several important considerations for directing mitigation funds to the most impacted and distressed and lower-income communities. Geographic scale is a key issue. All of the GLO programs are analyzed on a county basis. However, the research literature shows that low-income and people of color population groups are statistically minimized at the county scale, while census tracts or block groups are more inclusive scales. Even Susan Cutter herself, after first publishing her SoVI Index on a county-basis, changed to a census-tract basis in order to more accurately identify areas of vulnerability.

In other words, if you want to find low-income and people of color, you have to use smaller geographic scales, namely census tracts or block groups. The Notice states that "[t]he action plan **must describe the impacts of the use of CDBG-MIT funds geographically by type at the lowest level practicable** (e.g., county level, zip code, neighborhood, or census tract)." (84 Fed. Reg. 45864, emphasis added.) The Action Plan's use of a county-scale analysis will not accurately identify the most impacted and distressed areas, where LMI populations live, or where social vulnerability is most prevelant.

Appendix F (pp. 304) gives the highest weight allocation (35%) to NFIP-defined Repetitive Loss properties. By federal definition, all NFIP RL properties must have flood insurance because FEMA keeps track of the number of claims made on these properties. Giving Repetitive Loss properties the strongest weight allocation broadly discriminates against most low-income families, who tend not to have flood insurance.

FEMA has special programs for Repetitive Loss properties but no special programs for low-income communities, and, as we have discussed extensively in past comments, FEMA data routinely undercounts LMI disaster victims and renters.

[5] For the second allocation round following Hurricanes Dolly and Ike in 2008, HUD created a new formula for allocating CDBG disaster recovery funds between states. The formula took into account: "(i) The sum of estimated unmet housing, infrastructure, and business needs, adjusted by (ii) a HUD-calculated risk level for recovery challenge," which compensated for some of the problems with FEMA data – particularly the underrepresentation of unmet needs in low-income minority families and communities", iincluding a "challenge to recover" factor reflecting data from Hurricanes Katrina, Rita, and Wilma that was used to calculate the risk a home would not recover, adjusting grant allocations so that states with higher per-damaged home risk scores received more funds. Department of Housing and Urban Development Additional Allocations and Waivers Granted to and Alternative Requirements for 2008 Community Development Block Grant (CDBG) Disaster Recovery Grantees (August 14, 2009) Federal Register/Vol. 74, No. 156 [Docket No. FR–5337–N–01] available at http://edocket.access.gpo.gov/2009/pdf/E9-19488.pdf *and* 46 Fed. Reg. Vol. 74, No. 156. Friday, August 14, 2009, p. 41155

The Action Plan does not "include sufficient information so that all interested parties will be able to understand and comment on the action plan." (84 Fed. Reg. 45849) This is particularly true of the methodology and competition scoring criteria. The Action Plan should not only include a clear explanation of the methodology, criteria, and data inputs, it should make an effort to show how the scoring criteria would actually work. A series of calculated examples should be included, as GLO has done, for exmple, in guidance on duplication of benefits calculations, so the reader can be convinced that the scoring criteria will produce fair outcomes. The Action Plan should also include a discussion of data bias and how the scoring criteria has been designed to prevent data bias.

Needs-based considerations must be included in assessing awards; and principles of fairness dictate that more heavily impacted areas should receive resources accordingly. Some areas of the state have been disproportionately impacted by the 2015 and 2016 floods and Hurricane Harvey. Many of these areas are still recovering from those impacts, and application caps will work to disadvantage places that need the funds most. The GLO should focus on choosing the best projects based on selection criteria that prioritize the highest-risk areas wiht the most vulnerable populations. Therefore, we urge the GLO to eliminate the Application Submissions Cap Per Applicant under Sections 4.4.1 - 4.4.3.

## II. Public Participation

A. The comment period and the state's time to respond to comments are insufficient. The state should request an extension of the February 2, 2020 deadline to submit the Action Plan to HUD.

While the federal government took over 18 months to allocate these CDBG-MIT funds and publish a federal register notice, states whose Action Plans are due on February 3, 2020 have had only four months to conduct a mitigation needs assessment and write an Action Plan for a first-of-its-kind allocation of funds with a new set of federal requirements. The lack of sufficient time for the state to write a compliant Action Plan is reflected in the draft Action Plan, particularly in areas where there is insufficient information. We appreciate the state's extension of the comment period by four days and an additional public hearing, however, the Texans most affected by the use of these funds will still have only 49 days to read an Action Plan that is over 300 pages long, try to understand how the state will be allocating funds, and how those funds might affect their homes and communities. Further, the Action Plan is deficient in a number of areas, which does not allow public comment on a complete draft.

The Federal Register Notice states that "citizens recovering from disasters are best suited to ensure that grantees will be advised of any missed opportunities and additional risks that need to be addressed". The provided comment period, even with an extension, is too short for an entirely new funding program, particularly given that comment period includes a number of holidays, and that parts of the most impacted and distressed areas have had to deal with an industrial disaster that required evacuation within the comment period.

We understand that the February 3, 2020 deadline is mandated by the Federal Register Notice, and that the state's timeline has largely been determined by trying to meet that deadline. We also understand that Texas has been waiting over a year for this Federal Register Notice to be published, and that there continues to be an urgent need for both disaster recovery and mitigation. The communities our members represent are among those with the most critical remaining needs from past disasters, and are those most vulnerable to the effects of future disasters, particularly as the effects of sea level rise and climate change become more and more powerful. However, a rushed process that neither provides the public with enough information for meaningful public comment, nor includes a sufficient hazard mitigation analysis, will not result in the kind of data-driven strategic high-level impacts that truly mitigate the impact of future disasters.

We are also concerned that the state has left itself less than 30 days to read and respond to comments and make changes to the Action Plan, particularly given the substantial deficiencies we raise in these comments. The state should request an extension of the deadline to submit an Action Plan in order to produce a complete draft and obtain public comment.

B. The Public Advisory Committee must include members from the most affected communities and historically disinvested areas, and members of protected classes.

The Action Plan does not describe how the Advisory Committee will be selected or the detail of their role. In order to ensure that the public is truly represented, the state must insure that people from the most affected communities, particularly low-income and historically disinvested communities are part of the committee, and that information released to the public is clear and understandable. We appreciate GLO's committment to ensuring the Advisory Committee includes a full range of stakeholders, and as organizations who work with or are made up of grassroots community leaders, would be happy to provide any information or assistance on this process that would be helpful.

C. There must be increased transparency and public access to information about CDBG-MIT and CDBG-DR funds and programs on an ongoing basis.

The information that the state will post on its website is insufficient to provide the "ongoing public access to information about the use of grant funds" mandated by the FR Notice. While the information listed in the Action Plan should be publically available on the website, but much of it is focused on procurement and contracts, and does not give the public information about the progress of specific programs. The public should be able to easily find, for example, any infrastructure project (preferably geocoded on a map), determine where it is, what it is, how it was selected, where it is in the process, who is responsible for it, and how much funding has been spent. Similar information should be available for any project or program funded with CDBG dollars. The DRGR report is insufficient to convey this information. All of this information should be updated on a monthly basis .

In addition, all information related to the CDBG-DR and CDBG-MIT programs should be available on one central website, including applications, hearing notices, Methods of Distribution, program guidelines, progress reports, and all other information produced by the state's subrecipients. Many subrecipients, particularly local jurisdictions, do not have this information on their websites, or it is difficult to find and frequently out of date. The public should be able to go to one central website and find the full range of information about how CDBG-DR and CDBG-MIT money is being spent.

While the Action Plan states that the GLO "will maintain a comprehensive website . . . regarding all disaster recovery activities assisted with these funds", "in addition to the specific items listed above." However, there is no description of what information will make up a "comprehensive" website beyond the specific items listed in the Action Plan.

The database housing and securing the states disaster data needs described in Section 2.10.6.2 of the Action Plan should also be publically accessible.

The state should post any proposed waiver request and relevant supporting data for public comment before submitting a waiver request to HUD.

## IV. Use of Funds

We have the following concerns related to individual programs proposed by the Action Plan. These issues must be addressed before the Action Plan is final.

We want to emphasize that while we endorse the use of these funds for larger, high-impact projects, those projects may need to include targeted local infrastructure investments to ensure that they provide mitigation for everyone in the project area. For example, following Hurricane Dolly, the LRGVCD proposed improving its regional drainage structure. This would have benefitted incorporated areas with engineered drainage, but excluded the colonias; concentrations of low-income families and families of color without engineered drainage that were not connected to the regional drainage system. The very areas that were most impacted by Hurricane Dolly, many colonias had standing water for over a month rendering them inaccessible and increasing their rates of water and misquito-borne diseases, would not have benefitted from a project that was intentded to mitigate the greatest damage and for which colonia families were being counted towards the region's LMI National Objective. Similarly, in eligible areas where historical disinvestment has resulted in inaequate infrastructure and other deficiencies which increase neighborhood vulnerability, any larger project must include the localized infrastructure necessary to ensure that those communities are served by projects funded with CDBG-MIT funds.

A. 2015 Floods State Mitigation Competition ($46,096,950) and 2016 Floods State Mitigation Competition ($147,680,760)

Limiting each applicant to two applications, including both individual and joint applications, discourages collaboration and cooperation between jurisdictions. Disasters are not confined neatly to individual political jurisdictions, and mitigation measures in one jurisdiction may increase the vulnerability of other jurisdictions. Flooding, in addition to providing basic protective infrastructure in historically disinvested communities or buyouts and relocation, is something that generally must be addressed by watershed, and on a larger regional basis in order to be effective and prevent downstream communities from becoming more vulnerable to increased flooding.

We are also concerned that no applicant will have a second project funded before "all eligible applicants have been awarded funding at least once." Eligibility is a minimum criteria for funding. It appears that the state is saying that its selection criteria will only be used to rank projects, not to actually determine which projects will be most effective and address more urgent needs. **In other words, a project with zero points on the scoring criteria would be funded before a second project with 100 points**. This is contrary to both Congressional intent and the stated purpose of CDBG-MIT to fund "high-impact projects that will reduce risks attributable to natural disasters, with particular focus on repetitive loss of property and critical infrastructure." (84 Fed. Reg. 45838) The state itself has been clear that its goal is to maximize the mitigation impact of these funds, but the way this process has been set up completely undermines the state's own stated goals and will not most effectively protect Texans from the impact of hurricanes and flooding.

Again, we are concerned that this funding structure will steer funds away from the most impacted areas, and from areas where the greatest concentration of people of color and other protected classes live.

Our organizations do appreciate that GLO will delay awards if necessary to ensure that at least 50 percent of funds benefit LMI persons and that 50 percent of funds address identified risks in the HUD MID areas. While the Action Plan does not explicitly state that 50 percent of funds will be allocated to HUD MID areas and 50 percent to State MID areas, it could easily be read that way and lead to an assumption by potential applicants. In addition to correcting the deficiencies in the methodology already identified in these comments, the state should allocate 80 percent of CDBG-MIT funds to HUD MID areas, just as 80% of CDBG-DR funds were allocated to these hardest hit areas, unless it can provide data to justify a 50% allocation.

B. Hurricane Harvey State Mitigation Competition ($2.1 billion)

We reiterate the issues discussed above in B. However, the deficiencies in the project selection process are even more critical in the Hurricane Harvey State Mitigation Competition because half of the CDBG-MIT funds will be allocated through this program.

Further, in the Harvey competition applicants can submit only one application per round, as opposed to two applications per round in the 2015 and 2016 Flood competitions. We understand that the Harvey competition may have multiple rounds, but it may not. If there is only one round, the impact of scoring applications against others in the round and , in particular, the fact that "no applicant will be awarded for their subsequent application until all successful eligible applicants have been awarded funding at least once" would severely disadvantage applicants with multiple high-impact projects in the areas hardest hit by Hurricane Harvey and most vulnerable to future storms and flooding. Again, the end result would be that a project with zero points on the state's scoring criteria would be funded before a second project with 100 points, undermining the entire purpose of the CDBG-MIT funds.

We are also concerned that without an incentive for covered projects, the need for a substantial amendment (as no covered projects are described in the Action Plan) may discourage applicants from submitting these larger scale projects that may have the greatest long-term mitigative impact. However, we are also concerned about the requirement that covered projects must undergo a cost/benefit analysis, particularly if the analysis is produced using the FEMA BCA analysis. First, the BCA analysis is also an opaque process with little to no public information about how it works or which data is used. Second, FEMA methodologies and program implementation have historically steered disaster recovery funds into richer, whiter, areas with more homeowners, and depressed property values and increased the racial wealth gap in historically disinvested communities. Communities that have been denied adequate infrastructure and had their property values depressed by being denied disaster recovery funding and other public investment, have become less resilient to disaster over time. And analysis that does not recognize and account for these issues does not accurately describe the costs or benefits of a given project.

The Notice recognizes that the FEMA BCA is problematic. HUD does not mandate use of the FEMA BCA methodology and offers several alternatives. HUD in fact recognizes the very deficiencies we are concerned about, providing that:

> *Alternatively, for a Covered Project that serves low- and moderate-income persons or other persons that are less able to mitigate risks or respond to and recover from disasters, the grantee may demonstrate that benefits outweigh costs if the grantee completes a BCA as described above and provides HUD with a benefit-to-cost ratio (which may be less than one) and a qualitative description of benefits that cannot be quantified but sufficiently demonstrate unique and concrete benefits of the Covered Project for low- and moderate-income persons or other persons that are less able to mitigate risks, or respond to and recover from disasters.* (84 Fed. Reg. 45838; 45851.)

The Action Plan does not indicate how it will be conducting a cost/benefit analysis specific to covered projects, or how that analysis will ensure that vulnerability and equity will be taken into account. The public is entitled to know and comment on the state's choice of methodology before the state selects particular covered projects and submits substantial amendments to HUD.

Overall, programs must prioritize people over property value. No cost/benefit analysis should use property or economic value as a metric for benefit instead of number of people or housing units protected.

The category of eligible applicants is much broader than historically eigible entities. Therefore, the state must ensure that all of these entities are trained on their obligations under federal law, including their fair housing and civil rights obligations, and receive ongoing technical assistance as necessary.

C. Regional Mitigation Program (COG MODs) ($500 million)

We have serious concerns about the allocation of funds through a regional MOD process. The state is encouraging "regional investments with regional impacts in risk reduction", but has proposed a program that does not incentivize projects consistent with those goals or provide a clear focus on regional projects with the most urgent needs and greatest vulnerability.

Following Hurricane Harvey, the MOD process for CDBG-DR funds also raised serious civil rights questions. In SETRPC, the COG was allowed to use a methodology that did not comply with the federal or state requirements, and that steered funds away from densely populated areas with concentrations of people of color. For example, Port Arthur received only about twice as much funding as cities with less than 1% of its population, and Beaumont received less than twice the funding of cities that are 0.5% of its size. The cities in the SETRPC region with the three highest percent Black non-Hispanic populations (Beaumont, Port Arthur, and Orange) were also the three cities allocated the lowest per capita funding for buyouts.

The result is that Port Arthur (a city that is 38.2% Black, 31.8$ Hispanic or Latino, and 22% non-Hispanic White) will receive only about twice as much funding as cities with less than 1% of its population. Beaumont (which is 34% non-Hispanic White, 48% Black, and 14.4% Hispanic or Latino) will receive less than twice the funding of cities that are 0.5% of its size. The small cities that received the highest per-capita funding for buyouts were: Taylor Landing, 87.3% non-Hispanic White; Bevil Oaks, 81.8% non-Hispanic White; Pine Forest, 90.4% non-Hispanic White; Rose City, 88.4% non-Hispanic White, and Rose Hill Acres; 91.4% non-Hispanic White.[6] Port Arthur, Beaumont and Orange also had the highest number of damaged owner-occupied homes in the region according to FEMA data (which we note undercounts damage to LMI households).

The Action Plan contains no information on the required methodology for MODs beyond the fact that it "allows the opportunity for local quantifiable factors." While this does provide an opportunity for jurisdictions to incorporate factors related to social vulnerability and historical disinvestment, those factors should be mandated. It was exactly SETRPC's failure to use similar

[6] The City of Orange is 30.8% Black, 7.0% Hispanic or Latino, and 56.6% non-Hispanic White. All data from the U.S. Census Bureau. And https://datausa.io/

factors, the "unmet need" for which CDBG-DR funds were allocated, and it's choice of local weather and population as the basis for an allocation formula that steered funds away from areas with the greatest damage where the population included a significant percentage of people of color.

We understand that GLO will be doing training, written guidance, required forms, and data sets for the development of MODs, and that there will be a public comment period for proposed MODs. However, there should be a public comment on GLO's proposed guidance, forms, and required data before these materials are given to the COGs.

We express the same concerns about deficiencies in the methodology (CDI, SoVI, etc.) as laid out above, because they will determine allocations to the COGs.

D. Hazard Mitigation Grant Program Supplemental ($170 million)[MS19]

While we understand that HMGP projects will have to also meet the CDBG-MIT guidelines; the state must also evaluate whether the FEMA HMGP criteria and planning process have a discriminatory effect and/or steer funding away from lower-income communities and communities of color, as other FEMA programs have done. The Local Mitigation Planning Handbook does not mention social vulnerability or SVI determinants as part of a risk assessment, for example, and FEMA guidance on State Mitigation Plans does not require public input on the plan.[7]

We agree that projects in LMI areas and HUD MID areas should be prioritized, as they should be in all CDBG-MIT programs.

E. Coastal Resiliency Program ($100 million)[MS20]

Please explain why this program can fund risks related to coastal erosion and includes protection of FEMA lifelines as a priority.

Use of funds for USACE match is appropriately limited as these projects may have longer timelines or otherwise divert funds that could be spent on smaller projects that address an urgent mitigation need more directly and quickly.

F. Housing Oversubscription Supplemental ($400 million)

We applaud the inclusion of supplemental funding for rebuilding safer and more resilient housing. To many families are still waiting for help, and as the state knows, there is never enough funding to serve all eligible families. Housing is also the basis for resilience beyond whether the physical structure is less vulnerable to damage: safe, stable housing is critical to

[7] FEMA, Local Mitigation Planning Handbook, March 2013. Available at: https://www.fema.gov/media-library-data/20130726-1910-25045-9160/fema_local_mitigation_handbook.pdf

health, and economic and educational stability as well. The state has also appropriately targeted 80% of this funding to HUD MID areas and 70% to LMI homeowners.

We also appreciate the state's commitment to re-evaluating the elevation cap based on average costs of elevation or on a case-by-case basis. We have expressed concerns in previous comments that the elevation cap may be too low, particularly for the most vulnerable areas.

However, **homeowners in Houston and Harris County should also be eligible for this program.** While we understand that the state is thinking of this program as an extension of the CDBG-DR statewide program, CDBG-MIT funds are a separate allocation. Further, Houston and Harris County are not receiving suballocations of CDBG-MIT funds, so there is no alternative source of funds for homeowners who live in Houston and Harris County. No homeowner should be denied assistance based solely on where they happen to live. Houston and Harris County are some of the areas hardest hit by Hurricane Harvey, most vulnerable to future disasters, and where a disproportionate number of Texans of color live compared to the rest of the disaster-affected area. Excluding these families from the Housing Oversubscription Supplemental program is both counter-productive to a comprehensive mitigation strategy, and potentially discriminatory.

G. Resilient Home Program ($100 million)

We also applaud the Resilient Home Program as a demonstration of the fact that reconstructing homes to meet additional resiliency and mitigation requirements is both acheivable and cost-effective. Demonstrating more effective ways to address housing in a disaster recovery, and moving mainstream construction practices in the direction of incorporating resilience and mitigation into all housing construction is central to continuing mitigation strategies after CDBG-MIT funds have been spent.

We have two concerns about this program. First, beneficiaries will be selected from existing waitlists. There was a great deal of confusion in December about what constituted a completed application sufficient to qualify for the waitlist. Many applicants were unaware the application period was ending at all. There should be a clear appeal process for applicants who were not placed on the waitlist that contractors are required to communicate to all applicants, and GLO should review contractor performance to ensure that applicants were not terminated from the program through no fault of their own.

Second, this program again excludes homeowners in Houston and Harris County from participation in this program. In addition to the concerns laid out in our comments about the Housing Supplemental above, Houston is the fourth largest building market in the United States.[8] The impact of disseminating these resilient construction standards into the mainstream

[8] Steve Brown, "D-FW is still the country's second busiest building market", DALLAS MORNING NEWS, November 4, 2019. Available at: https://www.dallasnews.com/business/real-estate/2019/11/04/d-fw-is-still-the-countrys-second-busiest-building-market/

would be severely curtailed by excluding the largest building market in the Harvey-affected areas of the state.

H. Hazard Mitigation Plans ($30million)

Mitigation planning must include input from the most affected communities, and community engagement processes must recognize that these are the communities least able to participate in conventional process. For example, families may not be able to take time off work or afford childcare in order to attend meetings, may not have the kind of internet access necessary to respond to online surveys, and do not have the kind of access or political power that ensures local elected officials are responsive to their needs. The state and local mitigation planning processes must include specific outreach to the most vulnerable communities, both geographically and demographically, and ensure that they have as much input as wealthier communities that have the resources to engage at a high level.

The joint *Guidance to State and Local Governments and Other Federally Assisted Recipients Engaged in Emergency Preparedness, Response, Mitigation, and Recovery Activities on Compliance with Title VI of the Civil Rights Act of 1964* (Disaster Title VI Guidance) also emphasizes the importance of engagement with diverse racial, ethnic, and LEP populations from emergency planning through the recovery stages.[9]

In order to qualify for CDBG-MIT funds, the Hazard Mitigation Plan process must include social vulnerability, at the most local geographic level, in its risk assessment and take into account the impact of past discrimination and disinvestment and the impact of future sea level rise and other effects of climate change. The incorporation of equity into mitigation planning is also mandated by Title VI, as laid out in the Joint Disaster Title VI Guidance, and other civil rights laws and requirements.

I. Resilient Communities Program ($100 million)

The development, adoption, and implementation of modern and resilient building codes, flood damage protection ordinances, and land use and comprehensive plans and zoning codes that incorporate hazard mitigation is integral to ongoing and future mitigation in Texas.

· Adoption of these plans/ordinances may be used as scoring criteria for other CDBG-MIT programs.[MS23]

We support the inclusion of this activity in the Action Plan, with the caveat that strict requirements related to fair housing, Title VI, and civil rights must be in place, and the state must establish a stringent review process.

[9] *Guidance to State and Local Governments and Other Federally Assisted Recipients Engaged in Emergency Preparedness, Response, Mitigation, and Recovery Activities on Compliance with Title VI of the Civil Rights Act of 1964* (DOJ, DHS, HUD, DHHS, DOT, August 2016) at 7

Particularly in the case of land-use plans, zoning ordinances, and comprehensive plans, there is a long history of discriminatory planning and regulation, from ordinances that mandated racial segregation or openly planned to place industrial hazards in communities of color to facially neutral ordinances with discriminatory impact. For example, the NAACP recently filed a complaint against the City of Lubbock under the Fair Housing Act and Title VI. (Attached) Many existing comprehensive plans and land use codes are discriminatory, and like Lubbock's, impose additional risk and vulnerability on lower-income communities and communities of color. Zoning ordinances adopted based on these plans will not only reinforce discrimination and segregation, it will push specific neighborhoods and communities into more vulnerable positions with less resilience, at the expense of comprehensive and effective mitigation planning. If a jurisdiction plans to rely on an existing land use plan or comprehensive plan to propose a zoning ordinance, that plan must be reviewed under fair housing and civil rights standards to ensure that the state is not funding discrimination.

In addition to the requirements that land use plans must be forward-looking, integrate local HMP, identify local risks and explain how plan mitigates those risks, and accompanied by a zoning ordinance that codifies the land use plan, subrecipients must demonstrate that they have incorporated equity and civil rights, including the disproportionate impact of climate change on specific populations.

We agree with the requirements in the Action Plan for Comprehensive Plans, but again, subrecipients must also identify the impacts of past discrimination, and address equity. A Comprehensive Plan that leaves large parts of the jurisdiction out is neither comprehensive nor an accurate basis for effective future mitigation.

The state should reconsider the "first come first served" prioritization scheme. There are a fairly wide range of eligible activities under this program; the state should not spend $100 million on projects because they were submitted first instead of because the projects would be most effective at mitigating future risk.

We understand that the GLO is limited by state law and has no control over whether counties have legal authority to adopt and enforce specific types of ordinances and codes. However, the inability of counties to control certain kinds of activities in their jurisdictions is a barrier to effective high-level mitigation. Even the best mitigation planning is meaningless unless the relevant jurisdiction has the ability to mandate compliance.

J. Regional and State Planning ($214 million)

We endorse the state's goal of ensuring that studies in different regions can be consolidated and analyzed, and that date is consistent and accurate. These are all critical to accurate and effective disaster and mitigation planning.

The Action Plan needs to include more information about the state's plan to work with federal agencies to develop mapping and modeling techniques sufficient to conduct a detailed cost-benefit analysis. What will these techniques map and/or model? What data and criteria will be incorporated into the cost-benefit analysis? Is this the FEMA BCA or a separate cost-benefit analysis? The public and subrecipients must be able to understand how the state is evaluating costs and benefits, how it defines those terms, and which data the analysis will use.

State and regional planning processes must include a local community engagement process.

All plans must include a data-based determination that there is no disparate impact on vulnerable populations and protected classes, and create opportunities to address economic and health inequities.

## V. Additional Issues

### A. Residential Buyout Programs

In the aftermath of Hurricane Harvey, HOME and CEER have submitted extensive comments on how to ensure that residential buyout programs are equitable and effective, drawing from research and best practices nationally as well as the experience of Texans with FEMA and other buyout programs. We have been pleased to see the federal government recognizing the importance with new ways of qualifying under the LMI objective connected to buyout and relocation programs, and jurisdictions adopting buyout guidelines that give families a more realistic choice to move to safety.

#### 1. Residential buyout programs must be equitable and ensure that LMI families have sufficient resources to move to safer areas.

Low and moderate income households must be provided with enough funds that the choice to move is a realistic one (or to ensure that they can actually move to a safer area in the case of mandatory buyouts). For example, take the case of an elderly homeowner who has paid off their mortgage and is now on a fixed income. If their home was worth $45,000 before the hurricane (because of discriminatory decisions that denied their neighborhood adequate flood infrastructure or located industrial hazards in their neighborhood, artificially depressing property values[10]), that amount of money will not be enough to purchase a new home in a safer area, nor will it provide rent for the rest of that person's life. The homeowner is stuck between

[10] For example, redlining by the Federal Housing Administration in the 1930s, GI BIll loan guarantee requirements that forced developers to build all-white neighborhoods, discriminatory zoning that placed environmental hazards and industrial uses in communities of color, failure to provide adequate infrastructure or public services in communities of color, etc.

staying in an unsafe home or losing housing stability and perhaps their only asset. This is not a real choice, and results in the most vulnerable homeowners staying in high risk areas.[11]

Using the pre-storm value of a home to determine disaster recovery program benefits often has a discriminatory impact on the basis of race or ethnicity as well.

Another barrier to relocation for LMI homeowners, particularly African-Americans, may be unable to show clear title because of heirs' property ownership.[12] The state must ensure that buyout programs include legal assistance to clear title, as well as incorporate other best practices for mobility programs of any type, including mobility counseling and real estate assistance to ensure that families have the knowledge they need to make an informed decision about what is best for them and to make successful moves to safer areas. The worst case scenario is that families who accept buyout are unable to find housing in safer areas and move back into their original or less safe neighborhoods.

2. Residential buyout programs should focus on community planning and methods to prevent gentrification and displacement.

It is critically important that program guidelines for this buyout program be developed in a transparent process with extensive community input. Regardless of whether these planned buyouts are voluntary or mandatory, relocating away from an existing community or a home that has been in a family for generations can be difficult and even traumatic.[13]Without planning and community buy-in, a voluntary individual buyout program can result in a patchwork of empty and occupied homes, creating a blighted neighborhood. One of the critical issues in ensuring a successful buyout program is equity and ensuring that program rules and processes do not have a disparate impact on particular groups of homeowners.

3. Residential buyout programs should prioritize communities with exposure to environmental and industrial hazards that make them more vulnerable to the consequences of hurricanes and flooding.

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[11] These areas are not only high risk because of flooding, some communities, particularly low-income communities of color, were impacted not only by flooding but by hazards related to chemicals, oils, sewage, waste or air pollution during the event,

[12] Heirs' property is created when a landowner dies without a probated will, creating divided ownership of property between multiple heirs, creating a situation in which all the heirs must agree, for example, in order to sell the land, obtain a mortgage, or access programs like CDBG-DR home repair and rebuilding programs. Heir's property ownership is particularly prevalent in African-American communities. *See, e.g.:* Kuris, Gabriel, ""A Huge Problem in Plain Sight": Untangling Heirs' Property Rights in the American South, 2000-2017," 2018, Innovations for Successful Societies, Princeton University, http://successfulsocieties.princeton.edu/

[13] Over 50% of applicants who opted out of the State's Hurricane Ike and Dolly homeowner mobility program cited attachment to their neighborhood or the fact that the property had been in their family for a long time as their reason for choosing not to move. (February 28, 2017 data obtained from GLO)

Texas must consider how flooding and drought events intersect with environmental pollution and hazards in prioritizing buyouts. Proximity to environmental hazards and industrial land uses increases the impact of disasters and compounds the issues faced by environmental justice communities on a daily basis. Needs based disaster recovery means taking that into consideration with data, maps and scoring criteria. Hazard mitigation with an equity focus means prioritizing those people and places because they are ground zero of negative impacts of climate change

B. Structure Elevation

The elevation cost caps in the Action Plan ($60k coastal and $35k non-coastal, pp. 192) are so low as to prevent mitigation. The consequence of a low elevation cap was demonstrated 15 years ago in Louisiana's Road Home Program, which had a starting cap of $30k. After years of delay and hardship, the program eventually raised its cap to $150k in order to handle real world costs and to accomplish the program goals. The GLO appears to be starting out the same way by ignoring the lessons of practice, which will only result in major program delays. The GLO should learn the important lessons that were already learned in other major mitigation programs in order to prevent delays that are very harmful to residents.

*Mr. Jones, a retired postal worker, has lived in his Northeast Harris County pier and beam home for over 30 years, which has flooded several times since Tropical Storm Allison in 2001. Though he and his family have tried to repair their home to best of their ability, he knows the only way to truly avoid regular flooding is to elevate his home. It will take at least $150K to elevate his 1200/sf home. This is a cost his family simply cannot afford, so they have accepted this new norm - flooding in their home.*

Home elevations on Brays Bayou in Houston have averaged between $350k and $400k per home. Medium value homes like these easily meet the BCA requirements, so it is no surprise that these homes were the first to qualify for mitigation funds despite the incredibly high cost. The difference between the proposed GLO elevation cap and the amounts approved for Meyerland home elevations (under HMGP) is so large as to raise questions about how the cap was determined and whether it will be adequate given the experience of other states. Other unanswered questions include: does the program assume flood insurance, what if there is no established flood history, duplication of benefits, forced mortgage payoffs, how to mitigate homes that cannot withstand elevation, etc. The Action Plan should include a presentation of elevation program details and calculations for a variety of areas and conditions to demonstrate that the cap is adequate to elevate homes.

C. Preventing Displacement

In addition to facing disproportionate risk of natural and man-made hazards, some subgroups have higher social vulnerability than others. These more vulnerable groups require relatively

more investment in resources for them to achieve levels of resilience similar to other groups. While these communities should be prioritized for mitigation investments, this investment can also end up displacing vulnerable groups.

*Deja, her newborn daughter, and four-year old son had only lived in her apartment - located on the banks of Greens Bayou - for 6 months when Hurricane Harvey flooded the entire 1st floor of the apartment complex. After speaking with her neighbors, she learned this was the third time in three years the complex had flooded. After being displaced for several months, she reluctantly moved back to a second-floor, moldy unit because she feared losing her housing subsidy. Over 100 units of housing were lost at the property alone with little to no resources provided to the impacted and displaced families*

The Action Plan states that the GLO will follow its Residential Anti-displacement and Relocation Assistance Plan (RARAP). "The GLO will take the following steps and require subrecipients and developers to minimize the direct and indirect displacement of persons from their homes: . . . adopt policies to identify and mitigate displacement resulting from intensive public investment in neighborhoods; adopt tax assessment policies, such as deferred tax payment plans, to reduce the impact of increasing property tax assessments on lower income owner-occupants or tenants in revitalizing areas . . ." (Action Plan at 190) The steps an applicant will take to minimize the direct and indirect displacement of persons from their homes must be included in the application for a program or project and evaluated as part of the scoring criteria.

D. Natural and Green Infrastructure

Nature-based solutions are the cornerstone of resilience for cities across Texas. The incorporation of nature-based infrastructure and blue-green measures into planning processes is vital to creating an effective and durable statewide system that protects and bolsters disaster-prone areas, while also maintaining the quality of life and desirability of our communities. Texas must invest in long-term, resilient systems to offset the impacts of climate-driven disasters. Nature-based systems have great potential to provide a mechanism for planning and adaptation that minimizes risk to communities, their economies, and the environment, by managing how they are exposed to these risks. A multi-tiered strategy that incorporates nature-based solutions provides the foundational support that unifies the vision of a healthy and protected ecosystem, while also providing critical protection to people, place and property.

While we acknowledge and appreciate the Plan's support of nature-based systems and natural infrastructure projects, it is particularly important that the Plan prioritizes long-term community well-being, as it is difficult and costly to undo or redo infrastructure projects once they are in place. Rather than removing people from harm's way once the harm is done, and subsequently compensating people for lost property, it is much more cost-effective to keep people out of harm's way at the outset. Strategies and actions for long-term interventions that protect floodplains and floodways before they are developed – especially in rural, sub-rural, and agricultural areas – can keep people out of harm's way, while preserving natural lands such

as prairies, wetlands, and woodlands to absorb and slow water during heavy rainfall events. In addition, the restoration of these natural areas offers additional flood risk reduction, while providing multiple benefits to the public, including recreation, water quality, enhancements to mental and physical health, and improvements to the quality of life for all residents.

The value of the remaining native prairie grasses and habitats in helping to retain floodwaters can not be overstated, and projects that help protect and expand these native prairie habitats are of the critically important. The ecosystem service value of bottomland and upland forests in the Houston-Galveston area has been estimated to be $200/acre/year for groundwater recharge services and $105/acre/year for flood protection. These services would otherwise need to be performed by engineered stormwater facilities. Wetlands in the region provide an estimated $8,000/acre/year in flood damage reduction services.[14]

In addition to funding stand-alone green infrastructure approaches, natural features can be incorporated into engineered infrastructure to handle excess runoff in communities, both for flood mitigation and additional community benefits. For example, bioswales are vegetated spaces designed to slow and filter stormwater runoff; they can reduce peak flood heights and help reduce pollution our waterways. Incorporating green infrastructure into the built environment, including rainwater catchment systems, appropriate landscape design -- including the use of native species --and the reduction of impervious cover are also important features. Green roofs, like the ones at Rice University, have similar stormwater benefits while also keeping buildings cooler and conserving energy.

The integration of natural and green infrastructure into both mitigation and recovery efforts has been proven effective in weather events as recent as Hurricane Harvey. During Harvey, a 178-acre reclaimed wetland in Clear Lake near Houston, known as Exploration Green, protected nearby residents and their homes from potentially deadly flooding by collecting 100 million gallons of water during the storm. This spared 150 homes from serious flooding. When the project is completed in 2021, it is expected to drain up to 500 million gallons of stormwater and protect up to 3,000 homes, while also providing a nursery for native plants and wildlife, recreational hike and bike trails, and athletic fields – at a total cost of approximately $30 million.[15]

As natural disasters continue to become more costly, investments made in pre-disaster mitigation are incredibly cost-effective. Every dollar spent on natural hazard mitigation measures can save six dollars when disaster strikes, as well as reducing deaths and injuries.[16] The return on investment is even higher for activities related to flood reduction along rivers and

[14] The Conservation Fund. Houston-Galveston Green Infrastructure and Ecosystem Services Assessment Report. https://www.conservationfund.org/images/projects/files/Houston_Galveston_Report.pdf

[15] Exploration Green Project: https://www.explorationgreen.org/storm-water-detention.

[16] National Institute of Building Sciences. Natural Hazard Mitigation Saves: 2017 Interim Report, https://www.fema.gov/media-library-data/1516812817859-9f866330bd6a1a93f54cdc61088f310a/MS2_2017InterimReport.pdf

bayous, where every dollar spent on mitigation yields seven dollars in savings.[17] This includes activities like strategically buying out flood-prone structures in floodplains and converting these areas back to natural spaces. Open space preservation and buyouts also earn communities points in the Federal Emergency Management Agency's Community Rating System, which translates into reduced flood insurance premiums.

James Dalton, USACE Director of Civil Works, notes, "*When we leverage natural systems and processes through integrated water resources management, we can develop more sustainable solutions and systems. By broadening our view of potential outcomes, we can find ways to deliver a broader array of services, benefits, and value from investment made in infrastructure systems."* [18]

To emphasize and strengthen the Plan's commitment to nature based systems, we encourage the GLO incorporate the following recommendations:

1. **Meaningfully prioritize and incentivize green infrastructure and nature-based solutions.**
   While the Plan broadly supports green infrastructure and nature-based solutions, we are concerned that simple encouragement - without grounded incentives - will not encourage robust and diverse engineering proposals that favor nature-based systems. Under Section 4.4, GLO Use of Funds, the Plan lacks specific language or incentives for implementing green infrastructure beyond the simple suggestion that they are considered eligible projects. Additionally, while the State Action Plan includes a Resilient Communities Program and a Resilient Home Program, these programs do not include incentives for green infrastructure and sustainable landscape design.
   **The 2015 and 2016 Floods State Mitigation Competitions and the Hurricane Harvey State Mitigation Competition should be modified to add incentive points to the Scoring Criteria to prioritize the implementation of green infrastructure projects that provide multiple benefits to a community in addition to the hazard risk reduction.**
   Existing tools, such as the Green Infrastructure Co-Benefits Valuation Tool[19]and the EPA's forthcoming Community-enabled Lifecycle Analysis of Stormwater Infrastructure Costs,[20] offer guidance for how to value and consider the multi-benefits of green infrastructure.

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[17] Ibid.

18 Bridges, T. S., E. M. Bourne, J. K. King, H. K. Kuzmitski, E. B. Moynihan, and B. C. Suedel Engineering With Nature: An Atlas. 2018. ERDC/EL SR-18-8. Vicksburg, MS: U.S. Army Engineer Research and Development Center. http://dx.doi.org/10.21079/11681/27929

[19] Green Infrastructure Leadership Exchange. Green Infrastructure Co-Benefits Valuation Tool. https://giexchange.org/green-infrastructure-co-benefits-valuation-tool/

[20] EPA. Community-enabled Lifecycle Analysis of Stormwater Infrastructure Costs (CLASIC). https://cfpub.epa.gov/ncer_abstracts/index.cfm/fuseaction/display.abstractDetail/abstract/10616/report/0

2. **Define and expand the following:**
   Natural infrastructure, including: the **preservation of floodplains**, and the **protection of bayou and riverine corridors**, as well as **large, landscape level land protection efforts**, including conservation of wetlands, prairies, woodlands and other natural areas that infiltrate water and decrease downstream flows. The protection of these areas can occur through fee acquisition or conservation easements with eligible entities. **Acquisition** of land**,** especially large tracts either adjacent to already protected lands or property that can be acquired at a scale sufficient to provide appreciable flood mitigation benefits, **restoration** of wooded, wetlands, and/or grasslands which can generally absorb floodwaters better than other types of vegetation provide additional flood risk benefits and **preservation** of riparian corridors in areas that are currently undeveloped or sparsely developed allow the entire floodway and floodplain areas can be protected all contribute to flood management through conservation, restoration, or creation of detention.

3. **Section 2.6.25.2 - Prioritize the restoration of natural channels of waterways.**
   Include the restoration of the natural channels of creeks and waterways, which slows flow, decreases incision, and reconnects such channels with the floodplains. We request that Section 2.6.25.2 be modified to delete "channeling creeks" as a mitigation effort, as it causes the removal of topsoil, scouring of river banks, and siltification of downstream lakes and reservoirs. This section should be replaced with, "restoring the natural channels of creeks and waterways, thereby slowing the flow, decreasing incision, and reconnecting such channels with the floodplains". We also request that an additional effort be added: "maintaining a natural riparian zone along waterways".

4. **Sections 4.4.1.5, Section 4.4.2.5, and Section 4.4.3.6 emphasize conservation and restoration of the watershed.**
   In each identified section, after "Natural or green infrastructure", add: "including the conservation and restoration of floodplains, and the conservation and restoration of creeks, bayous and their corridors, as well as large, landscape level land protection efforts, including conservation of wetlands, prairies, woodlands and other natural areas that infiltrate water and decrease downstream flows. Conservation may occur through fee acquisition or through conservation easements with eligible organizations."

5. **Define and Expand Green Infrastructure Incentive for Land Use and Comprehensive Plans.**
   Incorporate a description of natural and green infrastructure projects (to include the preservation of floodplains, and the protection of bayou and riverine corridors, as well as well as large, landscape level land protection efforts, including conservation of wetlands, prairies, woodlands and other natural areas that infiltrate water and decrease downstream flows. Protection of these areas can occur through fee acquisition or conservation easements with eligible entities.). Additionally, an incentive should be added for the use of green infrastructure as part of the Land Use and Comprehensive

Plans in the Eligibility/Selection Criteria Sections 4.4.10.7 and 4.4.10.8

6. **Sections 4.4.1 - 4.4.3: Eliminate Minimum Project Amounts**
   The GLO should eliminate the Minimum Project Amounts Under Sections 4.4.1 - 4.4.3 as this may serve as an unnecessary impediment for applicants, particularly related to green infrastructure projects that tend to cost less than traditional engineered projects, as well as for rural or smaller communities where small-scale flood mitigation projects may still be highly effective at reducing risk to flooding or other disasters.

7. **Provide clarity on the "Project Impact" Scoring Criterion**
   it is unclear what the "Project Impact" Scoring Criterion is based on and how it will be defined. Specifically, the Action Plan does not describe how "persons benefiting" will be defined and what constitutes 15 points versus 10 points. The "persons benefiting" criterion may serve as a way to encourage applicants to identify and/or quantify the multi-benefits of natural and green infrastructure projects, where applicable.

In conclusion, the nature-based approach is self-adaptive, and produces significant co-benefits. By moving away from the mono-functionality of hard, "grey" infrastructure and combining structural and non-structural–including blue-green measures–design, allows cities to increase their capacity to address needs before, during, and after major weather events. Not only does it increase natural protections and provide flexibility to address both flooding and heat-related vulnerabilities, blue-green measures can increase quality of life by reconnecting and providing new outlets to nature.

Without the ability and willingness to adapt and implement change, solutions to address flooding, drought, and significant weather will go unanswered. Our vision for a more resilient region must be centered on working and living-with nature. By committing to an adaptable and sustainable framework, we can enhance our quality of life all while protecting the environment.

## E. Economic Resilience and Mitigation

Also key to mitigating the economic impact of future disasters and increasing the resilience of families and communities is ensuring that the jobs generated by $4 billion dollars in CDBG-MIT funds are high-quality, sustainable jobs, filled by local workers in storm-affected areas, and that projects include job training for community residents, and create additional opportunities for community businesses.

Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u; 24 C.F.R 135) requires recipients of certain HUD financial assistance, including CDBG-DR, provide job training, employment, and contracting opportunities for low or very low income residents in connection with projects or activities in their neighborhoods to the greatest extent possible. We urge the State to fully implement and enforce Section 3, including monitoring that goes beyond asking for a monthly report, helping to set up a training and jobs pipeline, measuring success in terms

of the number of hours worked by Section-3 eligible workers, clearly defining the geographic area from which residents should get preference as locally as possible, and imposing monetary penalties on contractors who do not meet their Section 3 goals. In addition to Section 3, jurisdictions routinely impose requirements like local hiring and job production in exchange for government financial assistance or other benefits.

## VI. Conclusion

We appreciate GLO's work on the CDBG-MIT Action Plan and disaster recovery, and your consideration of these comments. Please let us know if we can provide further information or be helpful in any way.

Sincerely,

Delia Iris Gonzalez, Executive Director, CEER
Chrishelle Palay, Executive Director, HOME

Signed on organizations and individuals:

Jordan Macha, Executive Director, Bayou City Waterkeeper
Katy Prairie Conservancy
Texas Appleseed
Texas Housers
Public Citizen
Earthea Nance, Texas Southern University
Citizens' Environmental Coalition
Mi Familia Vota
Memorial Park Conservancy
LINK Houston
Air Alliance Houston
Coalition of Community Organizations (COCO)
Houston Sierra Club
Texas Organizing Project
Workers Defense Project
West Street Recovery