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AGENDA ITEM MEMO

BOARD MEETING DATE: July 23, 2024

TO: Board Members

THROUGH: Bryan McMath, Interim Executive Administrator
Ashely Harden, General Counsel
Rebecca Trevino, Chief Financial Officer
John T. Dupnik, P.G., Deputy Executive Administrator, Water Science and Conservation

FROM: Saul Nuccitelli, PE., Director, Flood Science and Community Assistance
Kathy Hopkins, Manager, Grant Coordination

SUBJECT: Flood Mitigation Assistance Swift Current Program, Local Match Support

ACTION REQUESTED

Consider allocating an amount not to exceed \$16 million from the Flood Infrastructure Fund for use as the local match requirement for the Flood Mitigation Assistance Swift Current grant program, including an amount not to exceed \$4 million for the presidentially declared disaster that was activated on May 22, 2024 (DR-4781-TX) and up to another \$12 million for subsequent disaster declarations through FEMA's FY 24 cycle ending on May 31, 2025.

BACKGROUND

The 86th Texas Legislature passed bills entrusting the Texas Water Development Board (TWDB) with new responsibilities related to funding flood mitigation projects and planning for future flood events including the Flood Infrastructure Fund (FIF). One of the statutory authorized uses of the fund is to make grants available to provide matching funds to enable eligible political subdivisions to participate in a federal program for flood projects.

The TWDB administers the Federal Emergency Management Agency's (FEMA) Flood Mitigation Assistance Swift Current grant program in Texas and serves as the

point of contact for the distribution of federal grants for mitigation planning and project implementation. The program assists states and communities by providing federal funds

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Brooke T. Paup, Chairwoman | George B. Peyton V, Board Member | L'Oreal Stepney, P.E., Board Member
Bryan McMath, Interim Executive Administrator

immediately after a presidentially declared flood disaster to mitigate affected repetitively and substantially flood-damaged structures insured through the National Flood Insurance Program. These funds aim to provide an immediate opportunity to assist with cost-effective measures to reduce or eliminate long-term risk against future floods as quickly as possible after a flood disaster.

The Federal Fiscal Year 2023 Notice of Funding Opportunity for only allows individual structure mitigation projects which includes:

- Acquisition/demolition with the land dedicated to open space,
- Elevate the flood prone structure to above the base flood elevation plus additional two to three feet,
- Mitigation/reconstruction where the flood prone structure is demolished and a new compliant structure is built in its place, and
- Dry floodproofing.

KEY ISSUES

Texas received a presidentially declared flood disaster (DR-4781-TX) on May 17, 2024, for major storms during the incident period of April 26 – June 5, 2024. The TWDB received notice from FEMA Region VI of the activation of Fiscal Year 2023 program with a \$40 million allocation to Texas for DR-4781-TX. TWDB accepted the allocation on May 23, 2024. FEMA allows for up to 10 percent of the \$40 million allocation for TWDB management cost. FEMA will accept community applications from June 17- November 18, 2024. The priority of the remaining \$36 million will be to those counties and communities that were authorized both Individual Assistance and Public Assistance under DR-4781-TX with an objective of mitigating substantially damaged and repetitive loss structures. Counties and communities that received the most National Flood Insurance Program (NFIP) claims during the incident period will be offered the funding first. As subapplications are processed and submitted to FEMA, TWDB will continue to offer the funding until the \$36 million has been obligated by FEMA. It is estimated that TWDB will be able to mitigate about 120 structures with this funding. Attachment 1 is a map of all the current counties and FEMA authorized granted areas for DR-4781-TX as of July 1, 2024. More authorization can be granted for other areas in the future by FEMA.

After a flood disaster, communities typically lack resources and have financial restrictions which prevent them from meeting the local match requirement required by federal grants. So, communities often pass the local match requirement onto the affected property owners being mitigated under the grant program. Property owners are often unable to provide the local match due to the financial burden associated with frequent recovery efforts from flood losses and thus unable to participate in the grant leaving those structures at high ongoing flood risk. In these cases, federal dollars go unused or reallocated to other states. Using the FIF for the local match requirements eases the financial burden on communities and property owners after a disaster, ensuring flood mitigation efforts address the long-term risks of flood losses.

RECOMMENDATION

The Board
July 23, 2024
Page 2

The Executive Administrator recommends approval to allocate an amount not to exceed \$16 million from the Flood Infrastructure Fund for uses as the local match requirement for Flood Mitigation Assistance Swift Current grant program for DR-4781-TX and up to another \$12 million for subsequent disaster declarations through FEMA's Fiscal Year 2024 cycle with a disaster declaration deadline of May 31, 2025.

Attachment(s):

Attachment A - FEMA-4781-DR, Texas Disaster Declaration Map as of 07/01/2024