

Metropolitan Nashville and Davidson County, Tennessee

Metropolitan Development and Housing Agency

Community Development Block Grant-Disaster Recovery (CDBG-DR)

ACTION PLAN

January 25, 2023

ABSTRACT

This Action Plan describes the use of CDBG DR funds allocated by the U.S. Department of Housing and Urban Development (HUD), which announced in the spring of 2022 that Nashville-Davidson County (County) will receive \$5,151,000 in funding to support long-term recovery efforts following disaster declaration 4601-DR-TN through the Metropolitan Development and Housing Agency (MDHA). The County also received a supplemental allocation of \$3,367,000 for the same disaster event as announced by HUD on November 3, 2022. These supplemental funds are accounted for in the Action Plan bringing the total CDBG-DR amount allocation to \$8,518,000.

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1. Executive Summary

Overview.

Overview. The U.S. Department of Housing and Urban Development (HUD) announced in the spring of 2022 that Nashville-Davidson County (County) will receive \$5,151,000 in funding to support long-term recovery efforts following disaster declaration 4601-DR-TN through the Metropolitan Development and Housing Agency (MDHA). The County also received a supplemental allocation of \$3,367,000 for the same disaster event as announced by HUD on November 3, 2022. These supplemental funds are accounted for in the Action Plan bringing the total CDBG-DR amount allocation to \$8,518,000. The Federal Register notices for both allocations, 87 FR 31636 and 88 FR 3198, specify that 100% of the funding allocation must be spent in the Most Impacted and Distressed area. Both Federal Registers indicate this area to be Nashville-Davidson, however, HUD provided a memorandum to the County, dated March 2022, which indicated in Table A-3a on page 15 of the memorandum that the MID was ZIP Code 37211. MDHA nor the County in general identified any other MID qualified zones.

Community Development Block Grant- Disaster Recovery (CDBG-DR) funding is designed to address needs that remain after all other assistance has been exhausted. This plan details how funds will be allocated to address remaining unmet need in Nashville-Davidson County, Tennessee.

To meet disaster recovery needs, the statutes making CDBG-DR funds available have imposed additional requirements and authorized HUD to modify the rules that apply to the annual CDBG program to enhance flexibility and allow for a quicker recovery. HUD has allocated \$5,151,000 and an additional \$3,367,000 in CDBG-DR funds to Nashville-Davidson County in response to severe storms, tornadoes and flooding, 4601-DR-TN, through the publication of two Federal Register notices, Volume 87, No. 100 on May 24, 2022 and Volume 8, No. 11 on January 18, 2023. This allocation was made available through the Appropriations Act (Public Laws 117-43 and 117-180).

The intended use of the funding is to develop additional rental housing for low income residents impacted by housing affordability within the MID, ZIP Code 37211. It is estimated the funding will create approximately 24 units, and all of the mitigation measures will be incorporated into the rental housing development.

Disaster Specific Overview.

On March 27th and March 28th, 2021, Nashville-Davidson County experienced historic flash flooding. The rainfall event was the second-highest recorded rainfall in 24 hours in the history of that area, receiving 7" to 9" of rain recorded by the National Weather Service (NWS). As recorded by the NWS, the supercells moving through the area produced large hail up to the size of tennis balls and high winds.

With showers beginning early in the morning on the 27th, the weather pattern continued throughout the day and overnight as the showers redeveloped over the same areas. Tornadoes and high-winds were reported throughout the metro area. The major impact to the area specific to zip code 37211 was flash flooding due to the continued heavy rainfall. Rains continued

overnight, causing a rapid rise for multiple waterways in the zip code 37211. An already waterlogged area experienced record flooding. Sevenmile Creek reached its most elevated level ever recorded. Browns Creek and Mills Creek reached their 2nd and 3rd highest levels of record. In the week following this rainfall, The Cumberland, Harpeth, and Duck Rivers all reached their flood stage.

On Sunday, March 28th, the residents of zip code 37211 could see the flood waters quickly recede but were left with both short and long-term impacts. Short-term impacts were related to loss of life, immediate displacement of residents of the area, displacement of homeless encampments in the area, damaged possessions, deposits of silt and soil, loss of critical infrastructure, transportation disruption, mudslides, and many more. Long-term impacts include loss of life, loss of homes, destruction of homeless encampments, loss of vehicles, psychological damage, significant ruin to residences, and many others.

Summary.

The MID, ZIP Code 32711, experienced significant flooding to residential units and loss of life--the death of two homeless people and the destruction of a homeless encampment on Sevenmile Creek.

As stated in the Action Plan, the following chart summarizes FEMA verified housing losses.

	House/ Duplex	Condo	Townhouse	Apartment	Other	Travel Trailer
Owner Occupied	204	11	1		10	1
Renter Occupied	48	8	1	94	9	0

The greatest need within the MID is housing for low income residents. The unmet need for housing in the Nashville/Davidson County metro areas is \$1,171,800,000.

Category	Remaining Unmet Need	% of Unmet Need	Program Allocation Amount	% of Program Allocation
Administration			\$425,900	5%
Planning			\$425,900	5%
Housing	\$1,171,800,000***	100%	\$6,555,200	77%
Infrastructure				
Economic Revitalization				
Public Services				
Mitigation			\$1,111,000	13%**
Total			\$8,518,000	100%

MDHA proposes to use the funds in the following manner:

Administration funds will be utilized to manage the proposed affordable housing project. Activities will include developing the procurement material, selection of a vendor, design and construction oversight, leasing and closeout activities.

Planning funds will be used to identify the type of affordable housing units to be built, their location, and configuration.

Housing funds will fund the design and construction of the affordable housing development.

Mitigation funding will be incorporated into the affordable housing project and will be used for hardening of the structure.

Public services are not budgeted as part of this project. However, MDHA will work with local non-profits that serve vulnerable populations and protected classes within the MID to assure that they are aware of the rental housing opportunities to be created by the project.

While the number of owner-occupied impacted *properties* was greater than the number of renter occupied impacted *properties*, the actual number of impacted *dwelling units*, or families in rental (households), was much greater than owner occupied impacted *dwelling units*. OEM data indicates that while there were approximately 265 owner occupied dwelling units impacted by the storm event, there were vastly more renter occupied units impacted at 1,518. This indicates that a substantially greater number of renters were impacted in the MID than owners.

It has been difficult to obtain quantitative evidence of the impacts, and even loss, of rental and/or multifamily housing units due to the storm event. Interviews and news coverage, however, indicated that there was substantial damage to residential structures, particularly multi-family rental units including a variety of apartment complexes. Information collected from interviews VOAD staff with the Hispanic Family Foundation indicated that they assisted 76 families, consisting of 199 children and adults, displaced from rental properties in the MID Area. Unit types varied from duplexes to larger multi-unit apartment buildings. In the information collected by OEM on properties impacted by the storm event, a majority of the properties were residential properties. Additionally, the storm event impacted 34 multifamily residential properties containing 1,378 dwelling units making units in multifamily rental facilities the most impacted type of residential dwelling unit.

There is no evidence of FEMA claims regarding infrastructure damage.

The County held a virtual public hearing on January 31st, 2023, during which time the public comment period was opened, and the draft version of the Action Plan was available for public review on the County's website. A live public hearing was held at Casa Azafran, 2195 Nolensville Pike, Nashville, TN 32711 on February 15, 2023 from 5:30 pm to 6 pm to 7 pm, and virtually. There were no comments and no member of the public in attendance. Both meetings

were advertised. A survey was also distributed via Survey Monkey. In addition, the Action Plan was approved by the Metropolitan Mayor at the closure of the public comment period.

The action plan was re-released in Spanish and Arabic for public comment on July 19, 2023 with public comments being accepted through 4:00 p.m. CDT on August 19, 2022. A 2nd virtual public hearing was held on August 3, 2023. An attendance list and public comments received are included in Appendix 5. C. The public hearing was advertised in the Tennessean, Azul and the Tennessee Tribune.

Spanish translation was provided at all meetings at the public hearings that were held during the 1st public comment period and Spanish and Arabic translation was provided at the public hearing that was held during the 2nd public comment period.

MDHA intends to use the entire allocation, including the 15% mitigation set aside, for the creation of affordable rental housing within the MID. MDHA will select a developer or developers to develop new or rehabilitate existing structures to increase LMI housing stock. Existing LMI residents will not be displaced. At least 70% of the beneficiaries will be LMI residents.

Unmet Need and Proposed Allocation

Category	Remaining Unmet Need	% of Unmet Need	Program Allocation Amount	% of Program Allocation
Administration	\$0.00	0.00%	\$425,900.00	5.00%
Planning	\$0.00	0.00%	\$425,900.00	5.00%
Housing	\$1,171,800,000.00	100.00%	\$6,555,200.00	76.96%
Infrastructure	\$0.00	0.00%	\$0.00	0.00%
Economic Revitalization	\$0.00	0.00%	\$0.00	0.00%
Public Services	\$0.00	0.00%	\$0.00	0.00%
Mitigation	\$0.00	0.00%	\$1,111,000.00	13.04%
Total	\$1,171,800,000.00	100.00%	\$8,518,000.00	100.00%

Data Source(s): *Data Sources: MDHA **The Federal Register specifies that 15% of assistance be set aside for mitigation activities. The 15% is calculated from the original Allocation for Unmet Need (\$4,479,000) on Page 31638, Table 3, which is then added to that amount for a new total of \$5,151,000. The additional funding of \$3,367,000 makes a similar assumption, therefore the total percentage of program allocation for mitigation is 13%, while the CDBG DR set aside for mitigation is actually 15% of the Allocation for unmet needs. *** Data Source: Affordable Housing Task Force Report-2021. Unmet need estimate is based on the current 2 year lag in affordable housing unit production to address total projected 10-year affordable housing need. *Allocation Amount includes project delivery costs and does not include administration and planning costs.

2. Unmet Needs Assessment

Overview.

The information provided in this Action Plan is focused on the 37211 ZIP Code as it was indicated in both Federal Register Notices (87 FR 31636, 88 FR 3198) that all CDBG-DR funds allocated for this disaster must be expended in the MID area.

The Federal Registers did not specify the MID area beyond Nashville-Davidson, TN but the County received a memorandum from HUD dated March 2022, which indicated in Table A-3a on page 15 of the document that the MID was ZIP Code 37211. MDHA nor the County in general identified any other MID qualified zones.

The disaster declaration by FEMA (DR-4601) for the incident resulting in the CDBG-DR/MIT funding allocation to Nashville-Davidson County in Federal Register Notices (87 FR 31636, 88 FR 3198), indicated that tornados were the primary factor for the disaster declaration. However, it was actually storm related flooding that caused all disaster related impacts in the MID Area as was confirmed by FEMA damage assessment data, damage records collected by Nashville-Davidson Office of Emergency Management (OEM) and information provided by interviewing County staff and non-profit service providers including VOADs (Voluntary Organizations Active in Disaster). The flooding resulted in the complete destruction of a number residential rental units and the unfortunate loss of human life.

Formal records of impacts and damages to property and structures was collected by MDHA and included data from FEMA, SBA and the County OEM. FEMA data was made available to MDHA while SBA data needed to be collected from SBA's website. OEM provided their data on flooded parcels to MDHA directly. Information made available by FEMA did not include impacts to non-residential properties, however, data collected by OEM and SBA did indicate impacts to commercial properties and in both cases residential properties significantly outnumbered commercial properties. Information provided by FEMA indicated that they collected information on 387 residential structures but only 128 of the properties they surveyed experienced real property damage, however, many more did experience personal property damage or loss. Impact data collected by the County OEM included damage to all types of properties, not just those for residential use. The County OEM impact data recorded 1,350 properties as flooded by the storm event. Approximately 467 (36%) of the properties were located in the MID Area with 439 (94%) of them being residential properties. SBA's data included information on 29 total properties with 22 (76%) being residential and 7 being businesses.

After reviewing the data it was determined that the land use type suffering the greatest impacts in the MID Area was, by far, residential properties.

Table 2 – Property Damage Summary

	FEMA	SBA	OEM
Total Properties Evaluated in County	1,300+	29	1,350
Total in MID	387	2	467
Total in MID with Verified Real Property Loss	128	2	NA
Total Residential Properties (MID)	387	1	439

a. Housing Unmet Need

Disaster Damage and Impacts.

Impacts from DR-4601 vastly effected residential properties more than any other property type in the MID Area. This solely involved damages suffered through localized flooding due to a severe rainfall event.

Information provided by FEMA to MDHA indicated that they collected information on 387 residential structures in the MID Area. This included 227 owner occupied structures and 160 renter occupied structures. Unfortunately, it appears that the methodology used by FEMA to record damages only recorded real property loss for owner occupied structures while renter occupied structures only identified personal property loss. FEMA data indicated that there were 128 properties with FEMA verified real property loss and in all but three cases 100% of the real property loss was due to flood damage. In the three cases where damage wasn't solely due to flooding, flooding contributed to more than half the estimated damages. Regarding renter occupied structures, FEMA data indicated that none suffered real property loss but that 59 units suffered personal property loss. Approximately 1/3 of the apartments identified in the FEMA data were recorded as suffering personal property loss.

Table 3 - FEMA Verified Loss Data

	House/ Duplex	Condo	Townhouse	Apartment	Other	Travel Trailer
Owner Occupied	204	11	1		10	1
Renter Occupied	48	8	1	94	9	0

The FEMA data indicated that that FEMA verified real property loss for the MID totaled \$741,518.89 with FEMA verified personal property loss totaling \$199,335.43. The FEMA data also indicated FEMA award amounts which totaled \$304,143.76 for real property loss and \$25,963.47 for personal property loss. This data indicates that Since CDBG-DR/MIT funds can't

be used to replace personal property loss the estimated unmet need, based on FEMA data alone, for real property loss is \$437,375.13

FEMA based, unmet need estimate for real property loss = \$437,375.13

SBA also collected information pertaining to the disaster event DR-4601 which was available through their Disaster Loan Database for 2021. Unfortunately, SBA only collected information on 22 residential properties in Davidson County. The information indicated that 19 of the properties contained verified real estate loss which totaled an estimated \$3,297,645.84. Only one of the 22 residential properties was located in the MID, however, it contained the highest verified real estate loss of all properties identified with an estimated \$1,523,229 in estimated real property loss. The property was approved for \$861,200 in SBA loan compensation leaving an estimated real property loss recovery difference of \$662,029

SBA based, unmet need estimate for real property loss = \$662,0297

In addition to FEMA and SBA data, the County Office of Emergency Management (OEM) recorded damage impact data as well. OEM recorded 1,350 properties as sustaining flood impacts. This included 467 (35%) properties located in the MID Area. The properties identified as impacted in the MID Area were predominantly residential properties with 439 (94%) of the properties identified as residential. These residential properties included over 1,700 dwelling units with approximately 60% of the properties appearing to be owner occupied properties.

Table 4 - OEM Impacted Residential Properties in MID Area

	Single Family	Condo	Duplex	Apartment	Total
Owner Occupied	249	10	3	0	262
Renter Occupied	73	73	25	6	177

Table 5 - OEM Impacted Residential Dwelling Units in MID Area

	Single Family	Condo	Duplex	Apartment	Total
Owner Occupied	249	10	6	0	265
Renter Occupied	73	73	50	1,322	1,518

It is critical to note that while the number of owner-occupied impacted *properties* was greater than the number of renter occupied impacted *properties*, the actual number of impacted *dwelling units*, or families (households), was much greater than owner occupied impacted *dwelling units*. OEM data indicates that while there were approximately 265 owner occupied dwelling units impacted by the storm event, there were vastly more renter occupied units impacted at 1,518. This indicates that a substantially greater number of renters were impacted in the MID than owners.

(1) Single Family v. Multi-Family Needs; Owner Occupied v. Tenant.

It has been difficult to obtain quantitative evidence of the impacts, and even loss, of rental and/or multifamily housing units due to the storm event. Interviews and news coverage, however, indicated that there was substantial damage to residential structures, particularly multi-family rental units including a variety of apartment complexes. Information collected from interviews VOAD staff with the Hispanic Family Foundation indicated that they assisted 76 families, consisting of 199 children and adults, displaced from rental properties in the MID Area. Unit types varied from duplexes to larger multi-unit apartment buildings. In the information collected by OEM on properties impacted by the storm event, a majority of the properties were residential properties. Additionally, the storm event impacted 34 multifamily residential properties containing 1,378 dwelling units making units in multifamily rental facilities the most impacted type of residential dwelling unit.

The MID area is a fairly densely developed area containing approximately 32,508 housing units, according to Census 2020 ACS 5-Year Estimates. Census data also indicates that approximately 29,353 (90%) of the units are occupied with 14,000 being owner occupied and 15,353 being renter occupied. This indicates that a little over half (52%) of the occupied housing units in the MID area are renter occupied. With so many rental units present in the MID area and housing, particularly rental housing, being most significantly impacted, additional housing analysis was not warranted.

The Davidson County area suffers significantly from a lack of availability and accessibility of affordable housing. MDHA has noted and reviewed this issue consistently in its Consolidated and Annual Action Plan development. This issue was again echoed in the County's submittal of its HOME-ARP Allocation Plan where the organizations consulted identified affordable and supportive housing as one of the County's greatest needs. The issue has become so significant that two substantial efforts have been undertaken in recent years (2021) to analyze the affordable and supportive housing needs of the area. These included the Continuum of Care (CoC) driven needs assessment and Mayor Cooper's Affordable Housing Task Force's report. The report indicated that in 2021 there was an estimated 10-year affordable housing total need of 52,498 units. This equates to an annual production need of approximately 5,250 units, however, the local market's current annual production level is only 1,344. This would indicate that since 2021 (years) the County is currently lagging behind its annual need in affordable units by 7,812 units. The report indicated that a 2-bedroom affordable unit costs about \$150,000 to build which would place the current unmet affordable housing need, along the 10-year affordable housing growth plan, at \$1,171,800,000.

Housing affordability is often a substantial economic/financial factor for many households, particularly those of lower income, and with rental housing receiving a brunt of the disaster impacts, consideration was given to potential projects which may assist rental housing units or those in need of affordable rental housing. According to HUD, "affordable rents" are often

defined by Fair Market Rents which are developed by HUD. The table below provides the FMRs for 2022 and 2023 for the County.

Table 6 - Davidson County Final FY 2023 & Final FY 2022 FMRs By Unit Bedrooms

	Efficiency	1-Bedroom	2-Bedroom	3-Bedroom	4-Bedroom
FY 2022 FMR	\$1,079	\$1,100	\$1,253	\$1,587	\$1,975
FY 2023 FMR	\$1,218	\$1,245	\$1,406	\$1,758	\$2,173

According to Census 2020 ACS 5-Year Estimates median rents is \$1,113 and the median household income for the MID area is \$59,057. Similarly, income limits set by HUD for rental housing that is rehabilitated, reconstructed or constructed with CDBG-DR funds are provided in the table below.

Table 7 - Davidson County FY 2022 Income Limits by Family Size

	1 Person	2 Person	3 Person	4 Person	5 Person	6 Person	7 Person	8 Person
FY 2022 Income Limit	\$52,850	\$60,400	\$67,950	\$75,450	\$81,500	\$87,550	\$93,600	\$99,600

Any potential housing projects undertaken by the County seeking to assist income qualified families would not only need to be undertaken to assist income qualified families but may also be subject to HUD defined affordability periods. During affordability periods rents charged to tenants which were assisted with CDBG-DR funds must meet affordability criteria in the tables below.

Table 8 – Rental Housing Affordability Periods

Rental Housing Activity Amount Per-Unit	Minimum Affordability Period (years)
Under \$15,000	5
\$15,000 to \$40,000	10
Over \$40,000 or rehabilitation involving refinancing	15
New construction or acquisition of newly constructed housing	20

Homeownership Affordability Periods will not apply to this project but are included for reference.

Table 9 – Homeownership Affordability Periods

Homeownership Assistance Amount Per-Unit	Minimum Affordability Period (years)
Under \$15,000	5
\$15,000 to \$40,000	10
Over \$40,000	15

(2) Public Housing and Affordable Housing.

The City of Nashville Metropolitan Development and Housing Agency (MDHA), which is also the agency responsible for overseeing and managing the County's Public Law 117-43 CDBG-DR allocation, is the public housing agency for the Nashville/Davidson metropolitan area. Any public housing facilities, residential units or residences with households utilizing housing vouchers are managed by MDHA. The MDHA didn't record any impacts from DR-4601 on any housing authority structures or residences contain households utilizing home assistance vouchers.

Table 10 – Public Housing Units Damage Summary

Type of Damage	# of Properties	# of Units	# of Units Assisted	# of Units Awaiting Assistance	Remaining Unmet Need
Minor-Low	0	0	0	0	0
Minor-High	0	0	0	0	0
Major-Low	0	0	0	0	0
Major-High	0	0	0	0	0
Severe	0	0	0	0	0
<i>Total</i>	0	0	0	0	0

*Data Source: MDHA

Cost Burden

One of the key components when it comes to identifying housing affordability concerns is cost burdening. Cost burdening is a concept promoted by HUD by which housing is considered to NOT be affordable if total monthly housing costs, including expenses such as taxes, insurance, etc., exceed 30% of the household's monthly income. Once housing costs exceed 30% or more of a household's monthly income a household "may have difficulty affording necessities such as food, clothing, transportation, and medical care." Severe cost burdening is defined as paying more than 50 percent of one's income on housing costs. According to Census 2020 ACS 5-Year Estimates, in the state of Tennessee, approximately 26.5% of occupied housing units were identified as being cost burdened. However, this number substantially increased when specifically evaluated for the County and the MID Area. Approximately 33% of occupied housing units in the County were identified as being cost burdened while as much as 35.5% of occupied housing units were identified as cost burdened in the MID Area. This means that more than one in every three occupied housing units in the MID Area is suffering from cost burdening due either to excessive housing costs, inadequate income or some combination of both factors. The County's 5-Year Consolidated Plan (2018-2023) echoed this issue by identifying "cost burden(ing) being the most common housing problem experienced by Nashvillians of all income ranges."

The top priority identified in the County's 5-Year Consolidated Plan is the need for new, decent, and safe affordable housing and, the provision of assistance to help low and moderate income households access affordable housing.

Public Housing Authorities Damaged

MDHA manages the County's public housing authority facilities. No public housing authority facilities were damaged by the relevant storm event.

Table 11 – PHA Facility Damage Summary

County/Municipalities	Total # of PHA's	Total PHA's Damaged	# of Units Damaged	Remaining Unmet Need
Total	1	0	0	0

***Data Source: MDHA**

Multifamily Assisted Housing

Type Of Damage	# of Properties	# of Units	# of Units Assisted	# of Units Waiting Assistance	Remaining Unmet Need
Minor-Low	0.00	0.00	0.00	0.00	\$0.00
Minor-High	0.00	0.00	0.00	0.00	\$0.00
Major-Low	0.00	0.00	0.00	0.00	\$0.00
Major-High	0.00	0.00	0.00	0.00	\$0.00
Severe	0.00	0.00	0.00	0.00	\$0.00

Total

Data Source(s): MDHA

FEMA does not inspect rental units for real property damage so personal property damage is used as a proxy for unit damage. The monetary thresholds are defined in Appendix D.

Public Housing Authorities Damaged

County/Municipality	Total # PHAs	Total PHAs Damaged	# of Units Damaged	Remaining Unmet Need
Nashville/Davidson County	1.00	0.00	0.00	\$0.00
Total	1.00			

Data Source(s): MDHA

Fair Housing, Civil Rights Data and Advancing Equity.

The affordable housing development project will provide affordable housing, without discrimination, to persons and households who meet LMI requirements. The County is aware of Federal Fair Housing rules and regulations, and does not discriminate on the basis of protected classes, including, race, religion, familial status, sex, national origin, disability, and sexual orientation. The County is aware of the substantial, Spanish speaking population that lives in the

MID Area, many of whom were displaced during the Storm event. The County will work with non-profits and VOADs, such as the Hispanic Family Foundation, to ensure that the local Hispanic population in need of affordable housing will be made aware of the housing opportunity that will become available from the use of the CDBG-DR funds. This population appears to be underrepresented in available Census data and was particularly hard hit by the storm event. There is anecdotal evidence that renters displaced as a result of this disaster event were exploited by landlords who did not repair flood damages and continued to collect rent. In addition, a large number of residents in the MID who were impacted by the storm are undocumented residents. As such, these storm-impacted residents are not eligible for CDBG assistance.

The project, which is intended to create new affordable rental opportunities, has not yet been identified. When a developer is selected, the development agreement will include all Fair Housing provisions. The County will provide technical assistance to help the successful developer navigate and comply with Fair Housing standards and develop an affirmative marketing plan that will target outreach to tenants that were affected by the flooding that are eligible to occupy the CDBG-DR assisted housing.

In particular, the Woodbine community within the MID is identified by the census as having a population with more than three vulnerabilities identified, as indicated in the attached census map. MDHA will focus outreach efforts in this neighborhood within the MID to ensure that these residents are aware of new rental housing opportunities.

As required Under Title VI of the Civil Rights Act of 1964, recipients of Federal financial assistance are required to take reasonable steps to make their programs, services, and activities accessible by eligible persons with limited English proficiency. Additionally, the Department of Justice LEP guidance outlining the four-factor analysis must be applied to HUD funded programs and projects. To identify any potential population with limited English proficiency, as step one of the four factor analysis, the County utilized US Census 2021 ACS 5-Year data. This provided information on languages spoken at home by persons 5 years old and over. The County then took steps to identify any populations that may trigger translation requirements which would include any population that makes up 5% or more of the eligible population or contains 1,000 or more people. Populations exceeding these limits would trigger the requirement to provide translated vital documents. LEP data is provided below.

LANGUAGE SPOKEN AT HOME FOR THE POPULATION 5 YEARS AND OVER

Language	Population
Speak only English	46,236
Spanish:	12,468
Speak English less than "very well"	8,524
French, Haitian, or Cajun:	169
Speak English less than "very well"	78
German or other West Germanic languages:	99
Speak English less than "very well"	0
Russian, Polish, or other Slavic languages:	276
Speak English less than "very well"	126

Other Indo-European languages:	3,771
Speak English less than "very well"	1,779
Korean:	324
Speak English less than "very well"	249
Chinese (incl. Mandarin, Cantonese):	297
Speak English less than "very well"	211
Vietnamese:	651
Speak English less than "very well"	416
Tagalog (incl. Filipino):	55
Speak English less than "very well"	14
Other Asian and Pacific Island languages:	1,643
Speak English less than "very well"	1,214
Arabic:	1,373
Speak English less than "very well"	506
Other and unspecified languages:	1,717
Speak English less than "very well"	1,186
Total	69,079

The total population of those evaluated was 69,079 with 46,236 (approximately 67%) 14,303 spoke English less than “very well”. Among these groups only one identifiable language group exceeded these limits for which services could be provided, and this was Spanish speaking individuals. Census data indicated that there were 8,524 Spanish speaking individuals who spoke English less than “very well” which exceeds the 1,000-person limit. In addition, there are 1,373 Arabic speakers, and an Arabic translation of the Action Plan was created, and an Arabic translator was provided at the public hearing in August. While there were three other categories of languages where more than 1,000 people did not speak English “very well”, they were not specific enough language categories for the County to be able to identify what specific language, if any, might need translation services. The other language groups with population exceeding 1,000 persons who spoke English less than “very well” included: Other Indo-European (1,779), Other Asian and Pacific Island (1,214), and Other and unspecified languages (1,186). Because these categories include a variety of unspecified languages the County was unable to identify any specific translation services which may be needed. However, if additional translation services may be needed the public will be notified that they can contact the County to request such translations services.

Familial status (households with one or more person under the age of 18)

Households with children or with seniors can often face additional challenges other households may not face including additional financial demands and additional service needs. These populations either can’t contribute to household income or may only receive fixed income limiting their contribution to total household income. They often need additional services such as medical or personal care including daycare and healthcare services. These populations often also have limited mobility or depend on others to effectively transport them, not only for any needs or services but also in times of disaster. In situations where evacuations become necessary or when people are displaced, these populations can be among those at greatest risk. The County, therefore reviewed data on households containing children under the age of 18 as well as households containing persons aged 65 and above.

Total Households	Households with One or More People Under 18	Households with One or More People 65 or Over
29,394	28.4%	28.4%

Source: Census 2021 ACS 5-Year Data

The Census only provided data on households with person under 18 and 65 and over as percentages of the total number of households. As can be seen in the table both categories equate to 28.4% of the data. Because there may be overlap in the data where a household may include both people under 18 and people 65 and over it is difficult to estimate the total percentage of households that have either or both of these populations. This information indicates that at a minimum, at least approximately 28%, more than one in four) households, contain at least one person under 18 or 65 and over. Additionally, 10.1% of the households contains a householder, 65 or older, who lives alone. The County has taken this information into account when estimating the type of housing the County may wish to develop using CDBG-DR funds.

Indigenous populations and tribal communities

The US Census 2021 ACS 5-Year data identifies 41 specific American Indian tribes. The following table indicates the population associated with each tribe. However, due to the number of tribes the table does not include those tribes that had a population of zero. This included only four identified tribes consisting of 102 people, less than 1% of the population in the MID area.

American Indian Tribes, Population

Chippewa	6
Creek	44
Seminole	24
Sioux	28
Total	102

Similarly, of the six identified Alaska Native tribes in the US Census 2021 ACS 5-Year data, only one contained a recorded population. Census information indicated that there are on 20 Alaskan Athabascan people located in the MID area representing substantially less than 1% of the total MID area population. The data also indicated that there are only 31 people identified as a non-specified American Indian or Alaska Native.

Historically distressed and underserved communities

In order to identify populations or communities which are historically distressed or considered underserved the County utilized HUD definitions of these terms. While there is no actual definition for distressed HUD typically associates the term distressed with economically distressed. HUD defines economically distressed as:

“Local governments with an average unemployment rate of 9 percent or more over the past three years using American Community Survey (ACS) 5-year estimates; a poverty rate of 20 percent or more among

individuals not enrolled in higher education as of the most recent ACS 5-year estimates, **OR** a population decline of 5 percent or more between the 2010 Decennial Census and most recent ACS 5-Year estimates.”

The County, therefore, collected the data relevant to the MID Area through the applicable Census ACS 5-Year data as described above, and is provided below.

ACS 5-Year Unemployment Rate, 2021-2019

2021 ACS 5-Year	2020 ACS 5-Year	2019 ACS 5-Year	Average of Percentages
5.5%	5.2%	4.0%	4.9%

Census 2021 ACS 5-Year Poverty Data

Population	Population Below Poverty	Percent of Population Below Poverty
(persons not enrolled in higher education)	(persons not enrolled in higher education)	
64,396	9,681	15%

Population Change 2010 to 2021

2010 DEC	Census 2021 ACS 5-Year	Percent Change
74,755	75,073	+0.4%

As can be seen in the tables above the County did not meet any one of the three criteria to designate the MID as distressed. The poverty rate over three years did not average 9% or higher (4.9%), the poverty rate among individuals not enrolled in higher education was less than 20% and the County saw an increase in population, not a decline, since the 2010 Decennial Census.

According to Federal Register Volume 89, Number 100, the definition of “underserved communities” is:

“The term “underserved communities” refers to populations sharing a particular characteristic, as well as geographic communities, which have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life. Underserved communities that were economically distressed before the disaster include, but are not limited to, those areas that were designated as a Promise Zone, Opportunity Zone, a Neighborhood Revitalization Strategy Area, a tribal area, or those areas that meet at least one of the distress criteria established for the designation of an investment area of Community Development Financial Institution at 12 CFR 1805.201(b)(3)(ii)(D).

The MID Area (ZIP Code 37211) is not located in a Neighborhood Revitalization Strategy Area, however, it is located in both the locally designated Promise Zone and Opportunity Zone. The MID area is located in parts of Subzone 2, 3, and 4 of the Nashville Promise Zone and is located in a portion of the Opportunity Zone assigned to Census tract 47037017300. Both the Promise Zone and the Opportunity Zone are located in the norther portion of the MID Area. The County recognizes that as the MID Area

stretches northward and becomes more a part of the Nashville urban landscape, that many of the historic issues which can plague urban environments may also apply to portions of the MID Area. These issues include challenges such as concentrations of areas of poverty, underfunded school systems, limited economic opportunities, outdated and failing infrastructure, and areas of increased crime. These urban areas also often include concentrations or minority populations who have historically been disadvantaged in access to quality education, well-paying jobs, livable wages among other challenges.

The provision of housing inherently attempts to address wealth disparities through the provision of housing which is affordable to households of lower income. The County is aware that the mere act of constructing affordable housing may result in unintended discriminatory impacts if considerations for issues such as the needs of disabled in housing construction and the provision of housing which can accommodate families safely and without resulting in overcrowding are not addressed through the planning process. Therefore, the County will consider proportionate accommodations in housing to address the needs of disabled and households with children. Other discriminatory impacts based on issues such as race and religion are addressed through the Fair Housing Act which prohibits discrimination of housing availability or provision based on the protected classes. The County can't discriminate based on these factors under local, state and federal law and the housing will be made available to all persons regardless of factors related to the protected classes. The proximity of housing to concentrated areas of specific protected classes is a difficult issue to address since the location depends on a variety of factors out of the County's control and often out of the control of any developer. Market factors, land availability, land use regulations, zoning and codes, affordability of land, among many other restrictions, all factor into where and how housing can be developed. The County will do its best to work within the limits of these constraints, as well as the requirement for the project to be located in and serve the eligible people in the MID area, in order to provide housing that is generally accessible to eligible households in the MID area.

The County has yet to identify a site location or locations for the anticipated affordable housing development project. While the County cannot currently conduct an analysis to identify the proximity of natural and environmental hazards because project sites are unknown, the County is required to undertake an environmental review process for all CDBG-DR funded projects. This review will identify potential natural and manmade threats and hazards. This review will include an evaluation based on environmental justice which includes considering threats to protected classes and vulnerable populations. The County will also conduct an internal review as sites are identified to confirm that the locations of any projects don't pose undue risk to populations for whom the housing is being developed. This includes ensuring that sites are not in areas that are at increased risk of impacts from natural disasters that the area is likely to experience based upon the analysis conducted of the hazard mitigation plan which is included in this plan.

Regarding the LGBTQ community, the US Census Bureau reports that Davidson County has a total of 2,636 same-sex households, with 1,451 male households with male partners and 1,185 female households with female partners.

Davidson County has a broad religious community, with the following three most populous denominations:

Non-Denominational Evangelical: 69,560

Catholic: 62,003

Southern Baptist: 56,817

A complete breakdown of religious affiliations is attached as an appendix.

In addition, there are no known environmental hazards in the MID. There are no Superfund sites from Region 4 in the MID.

Complaints regarding Fair Housing discrimination should be reported to FHEO Region 4 Office, (800) 440-8091 and complaintsoffice04@hud.gov.

The total population of the Davidson County, according to the Census data in the previous table, is 690,540. Approximately 11% of the County's population is located in the MID Area. The MID Area does not contain any notable concentrations of any specifically identifiable populations except for the County's Asian population.

HUD commonly defines an Area of Minority Concentration as:

“(i) The percentage of households in a particular racial or ethnic minority group is at least 20 percentage points higher than the percentage of that minority group for the housing market area; i.e., the Metropolitan Statistical Area (MSA) in which the proposed housing is to be located; (ii) The neighborhood's total percentage of minority persons is at least 20 percentage points higher than the total percentage of all minorities for the MSA as a whole; or (iii) In the case of a metropolitan area, the neighborhood's total percentage of minority persons exceeds 50 percent of its population..”

Below is a table indicating the race and ethnicity of householders in the County and the 37211 MID ZIP Code. As can be seen in the table there are no householders, by race or ethnicity, in the MID that are 20 percentage points or higher than householders of the overall area (County).

Householder Demographic Summary Data

TOTAL OCCUPIED HOUSING UNITS	289,191	100%	29,353	100%
RACE AND HISPANIC OR LATINO ORIGIN OF HOUSEHOLDER – ONE RACE				
White	191,706	66.3%	21,209	72.3%
Black or African American	74,789	25.9%	4,456	15.2%
American Indian and Alaska Native	474	0.2%	95	0.3%
Asian	8,690	3.0%	1,684	5.7%

Native Hawaiian and Other Pacific Islander	193	0.1%	12	0.0%
Some other race	5,542	1.9%	884	3.0%
Two or more races	7,797	2.7%	1,013	3.5%
Hispanic or Latino origin	19,203	6.6%	4,017	13.7%
White alone, not Hispanic or Latino	178,789	61.8%	18,336	62.5%

* Census 2020 ACS 5-Year Estimates

The MID area does not meet the minority concentration definition for any of the Census defined racial groups since none of the populations of any race are 20 percentage points higher than the County's percentage population for each racial category. Additionally, the MID's total minority population does not exceed 50% of its population.

The County's income information provides significant insight into the housing affordability issue in the MID Area. Median household income was greater in both the County and the MID Area than it was in the state, however, cost burdening was greater in the County and the MID Area despite income being generally higher. This may indicate that housing costs are the driving factor regarding cost burdening in the County rather than inadequate wages since people in the County and MID Area are generally receiving greater wages but suffering from higher cost burdening rates. However, the MID Area does have a slightly lower median household income of \$59,075 when compared to the overall County median household income of \$62,515. This slight difference of \$3,440 annually may be enough to account for the 2.5 percentage point difference in cost burdening percentages between the County and the MID Area.

Poverty data for the MID Area is also somewhat revealing when compared to County and State data. While the State and County have similar poverty rates at 14.6% and 14.2% respectively, the MID Area is approximately 2-2.4 percentage points higher at 16.6%. Similar to the cost burdening data previously provided, there is approximately a 2.5 percentage point increase in the cost burdening rate and poverty rate in the MID Area over the County.

Please note that the LMI population data for the MID Area may have a slight deviation since the Census defined Census Tracts and Block Groups don't perfectly align with ZIP Code geographic boundaries. Therefore, some of the Census Block Group populations may include a small population of people from outside MID Area (ZIP Code).

The Metro Nashville-Davidson County area contains a substantial LMI population. While the County does not contain a LMI qualified population percentage of 51% or greater (thereby making it a LMI qualified County by definition) it does come extremely close to qualifying. With a LMI population percentage of 50.1% the County contains a population where more than half the population earn less than 80% area median income. The MID Area contains a significantly higher percentage LMI population with over 60% of the population being LMI qualified. The MID Area's population also makes up roughly 12.5% of the total County population while its LMI population makes up 15% of the County's total LMI population. The

higher concentration of LMI population in the MID supports the allocation of CDBG DR funds to address housing affordability.

Based on a review of all data sources available regarding impacts to residential properties from the storm event, there were no manufactured housing units identified as being impacted from the event. The damage assessment data for the 387 residential properties surveyed by FEMA did not indicate any “mobile” units as “residential types”. The “mobile” identifier is one used by FEMA for residences which are constructed on a permanent chassis which is the same definition used by HUD. No “mobile” residential units were identified by FEMA in their surveys let alone as impacted by the disaster.

While no shelters or transitional housing facilities were identified as being impacted by the storm event there were impacts to the homeless population in the area. **Most significantly, a man and a woman died due to flooding in the homeless camp in Wentworth-Caldwell Park on Edmondson Pike and Sevenmile Creek.** The entire homeless camp was inundated with flood waters.

MDHA, as of 2022, manages 6,526 housing vouchers within the county which include the following:

- Project-Based – 679
- Tenant Based – 4618
- Veteran’s Affairs Supportive Housing – 401
- Family Unification Program – 19
- Disabled – 809

Only 7 units utilizing vouchers, located at 5 different residential properties, are located in the MID Area. None of these unit sustained any damage from the storm event.

The MDHA manages 24 public housing facilities consisting of 5,208 affordable dwelling units. In 2013 MDHA changed its public housing business model from annual contribution contracts (ACC) to project-based rental assistance contracts under the Rental Assistance Demonstration (RAD) program. Conversions at existing facilities began in 2016 with the final facilities converting in 2018. MDHA manages 24 public housing/affordable housing properties.

None of the County’s housing facilities were impacted by the storm event despite two, more recently constructed facilities, being located in the MID Area:

- Randee Rogers Apts. – 50 units
- Red Oak Town Homes – 44 units

The County also contains 90 LIHTC facilities consisting of 11,669 dwelling units. None of the County’s 90 LIHTC sites suffered impacts from the storm event including the 7 LIHTC facilities located in the MID Area which includes:

- Swiss Ridge Apts. – 84 units

- Swiss View Apts. – 32 units
- Hickory Forest Apts. – 90 units
- Whispering Oaks – 482 units
- Mountain Brook - 102 units
- Valleybrook Townhouses, Phase II – 140 units
- Radnor Towers – 189 units

Grantee Demographics and Disaster Impacted Populations

Demographic	Area-Wide Estimates	Area- Wide Percent	Disaster Declaration Estimate	Disaster Declaration Percent	MID Estimates	MID Percent
Total Population	690,540.00	100.00%	690,540.00	100.00%	75,199.00	100.00%
Under 5 years	46,061.00	6.70%	46,061.00	670.00%	5,940.00	7.90%
65 years and over	84,748.00	12.30%	84,748.00	12.30%	7,554.00	10.00%
Population with a Disability	78,441.00	11.40%	78,441.00	11.40%	7,532.00	10.00%
White or Caucasian	433,926.00	62.80%	433,926.00	62.80%	50,720.00	67.40%
Black or African American	185,758.00	26.90%	185,758.00	26.90%	11,565.00	15.40%
American Indian and Alaska Native	1,042.00	0.20%	1,042.00	0.20%	204.00	0.30%
Asian	24,936.00	3.60%	24,936.00	3.60%	5,468.00	7.30%
Native Hawaiian and Other Pacific Islander	403.00	0.10%	403.00	0.10%	97.00	0.10%
Other	19,269.00	2.80%	19,269.00	2.80%	3,095.00	4.10%

Data Source(s): * Data Sources: Census 2020 ACS 5-Year Estimates

Income Demographics

Income/Economic Demographics Statewide Areas Impacted by Disaster HUD MIDs

Median Household Income	\$54,833.00	\$62,515.00	\$59,075.00
Per Capita Income	\$30,869.00	\$37,958.00	\$30,229.00

Data Source(s): * Data Sources: Census 2020 ACS 5-Year Estimates

Income Demographics - Low Income

Income/Economic Demographics	Statewide	Areas Impacted by Disaster	HUD MIDs
Income in the past 12 months below poverty level	965,213.00	95,180.00	12,149.00

Data Source(s): *Data Sources: Census 2020 ACS 5-Year Estimates

LMI Analysis - Overall

Category Total LMI Persons Total Population Percent LMI

Area wide 318,860.00 635,950.00 50.10%

Data Source(s): *Data Source: HUD FY 2022 ACS 5-Year 2011-2015 LMI Summary Data

LMI Analysis - Federally Declared Disaster Areas

County/Municipality	Non-MID- Total LMI Persons	Non-MID- Total Population	Non-MID- Percentage LMI	MID- Total LMI Persons	MID-Total Population	MID- Percentage LMI
Nashville/Davidson	270,840.00	556,200.00	48.69%	48,020.00	79,750.00	60.21%
Total	270,840.00	556,200.00	48.69%	48,020.00	79,750.00	60.21%

Data Source(s): *Data Source: HUD FY 2022 ACS 5-Year 2011-2015 LMI Summary Data

Manufactured Housing Units Impacted by Disaster

County/Municipality	Number of Units	% of Total Units in County/Municipality	Remaining Unmet Need
Nashville/Davidson County	4,590.00	1.60%	\$0.00
Total	4,590.00	1.60%	

Data Source(s): *Data Source: Census 2020 ACS 5-Year Estimates

Limited English Proficiency Breakdown of Disaster-Related Areas

County/Municipality	Estimate Speak English Less than 'Very Well'	Percent Speak English Less than 'Very Well'
Nashville/Davidson County	69,259.00	21.90%
Total	69,259.00	

Data Source(s): *Data Source: Census 2020 ACS 5-Year Estimates

Point-in-Time Count - Type of Shelter

Geography	Emergency Shelter	Transitional Housing	Unsheltered Homeless	Total Known Homeless
Area wide	1,165.00	420.00	656.00	1,916.00
FEMA Declared	0.00	0.00	0.00	0.00
MID	0.00	0.00	0.00	0.00

Data Source(s): * Data Sources: – MDHA 2022 Point in Time Counts.

Point-in-Time Count - Impacted by Disaster

Geography	Emergency Shelter	Transitional Housing	Unsheltered Homeless	Total Known Homeless
Area wide	0.00	0.00	0.00	0.00
FEMA Declared	0.00	0.00	0.00	0.00
MID	0.00	0.00	0.00	0.00

Data Source(s): Data Sources: MDHA and Nashville Office of Emergency Management

Assisted Housing Impacted by the Disaster

County/Municipality	Total Housing Choice Vouchers	Total Impacted Housing Choice Voucher Units	Total LIHTC Units	Total Impacted LIHTC units	Total Public Housing Dwelling Units	Total Impacted Public Housing Dwelling Units	Remaining Unmet Need
Nashville/Davidson County	7.00	0.00	1,119.00	0.00	94.00	0.00	\$0.00

County/Municipality	Total Housing Choice Vouchers	Total Impacted Housing Choice Voucher Units	Total LIHTC Units	Total Impacted LIHTC units	Total Public Housing Dwelling Units	Total Impacted Public Housing Dwelling Units	Remaining Unmet Need
Total	7.00		1,119.00		94.00		

Data Source(s): *Data Sources: MDHA LIHTC Property List, MDHA and MDHA 5-Year Consolidated Plan

b. Infrastructure Unmet Need.

There is no identified infrastructure unmet need based on an analysis of FEMA reports and local incident reports after the storm events.

Disaster Damage and Impacts - Infrastructure.

The MID Area is a predominantly residential area which lies a little over a mile west of the Nashville International Airport and is bisected north to south by State Route 41A (Nolensville Pike). This corridor is intersected by three significant transportation routes including (listed from north to south:

- Route 155
- Route 255
- Route 254

Interstate 24 cuts north to south along the eastern end of the MID Area intersecting each of the routes listed above. The MID Area contains several small waterways but the three most significant are Mill Creek, Sevenmile Creek and the Sorghum Branch. Both Sevenmile Creek and Sorghum Branch are tributaries of Mill Creek and all three descend from Nashville's largest River, the Cumberland River, several miles to the north. These three creeks carve their way through the length of the MID Area amongst residential neighborhoods and are often funneled under local and regional roadways. It was flooding along these creeks which caused the damage in the MID Area during the storm event as torrential rain led to the creeks quickly overtopping their banks and exceeding the capacity of local stormwater management systems. Sevenmile Creek reached its most elevated level ever recorded during this event. This flooding inundated roads and bridges, covering them under several feet of water and cause significant stress to local stormwater management systems including storm sewers, stormwater pipes, gutters/swales and other systems. Beyond the flooding experienced to this infrastructure no other infrastructure in the MID Area was impacted. The storms flooded multi-family developments along Sorghum Branch Creek, which required emergency response rescues.

MDHA was unable to obtain FEMA Public Assistance data for this storm event. Information provided by the Preliminary Damage Assessment summary, provided by FEMA's website for the event, indicates that there was an estimated \$13,817,242 in total public assistance needed. OEM was unable to provide any additional information pertaining to infrastructure impacts but indicated that no County facilities were damaged or negatively impacted by the event. Unfortunately, without FEMA's complete Damage Assessment Report for Public Assistance the County has no further information pertaining to the specific impacts and FEMA provided funding for impacts to infrastructure.

Total Cost and Need by PA Category

PA Category	Estimated PA Cost	Local Match	Resiliency	Total Need (Match + Resiliency)
A - Debris	\$0.00	\$0.00	\$0.00	\$0.00
B - Emergency Measures	\$0.00	\$0.00	\$0.00	\$0.00
C - Roads and Bridges	\$0.00	\$0.00	\$0.00	\$0.00
D - Water Control Facilities	\$0.00	\$0.00	\$0.00	\$0.00
E - Building and Equipment	\$0.00	\$0.00	\$0.00	\$0.00
F - Utilities	\$0.00	\$0.00	\$0.00	\$0.00
G - Other	\$0.00	\$0.00	\$0.00	\$0.00

Total

Data Source(s): *Data Sources: FEMA DATA WAS UNAVAILABLE. NO OTHER COUNTY DATA IS AVAILABLE AS OF MARCH 2023

Hazard Mitigation Needs per County or Known Project

Project	Cost	Funding Source	Unmet Need
Nashville/Davidson County	\$8,518,000.00	CDBG-DR	\$8,518,000.00
Total	\$8,518,000.00		\$8,518,000.00

Data Source(s): Data Sources: MDHA AS OF MARCH 2023.

c. Economic Revitalization Unmet Need.

Economic Revitalization unmet needs as a result of the disaster events have not been identified at this time.

Disaster Damage and Impacts - Economic Revitalization.

The MID Area is a predominantly residential area which lies a little over a mile west of the Nashville International Airport and is bisected north to south by State Route 41A (Nolensville Pike). This route functions as a major commercial corridor and regional transportation collector. This corridor is intersected by three significant transportation routes including (listed from north to south:

- Route 155
- Route 255
- Route 254

The Northwestern corner of the MID Area is a mix of light industrial, warehousing and commercial development and contains a massive regional rail yard. Interstate 24 cuts north to south along the eastern end of the MID Area. The area to the east of Interstate 24 is made up of a sprawling commercial center containing larger scale, “big box” commercial development.

Interstate 24 cuts north to south along the eastern end of the MID Area intersecting each of the routes listed above. The MID Area contains several small waterways but the three most significant are Mill Creek, Sevenmile Creek and the Sorghum Branch. Both Sevenmile Creek and Sorghum Branch are tributaries of Mill Creek and all three descend from Nashville’s largest River, the Cumberland River, several miles to the north. These three creeks carve their way through the length of the MID Area amongst residential neighborhoods and are often funneled under local and regional roadways. It was flooding along these creeks which caused the damage in the MID Area during the storm event as torrential rain led to the creeks quickly overtopping their banks and exceeding the capacity of local stormwater management systems. Sevenmile Creek reached its most elevated level ever recorded during this event. This flooding inundated roads and bridges, covering them under several feet of water and cause significant stress to local stormwater management systems including storm sewers, stormwater pipes, gutters/swales and other systems. Beyond the flooding experienced to this infrastructure no other infrastructure in the MID Area was impacted. The storms flooded multi-family developments along Sorghum Branch Creek, which required emergency response rescues.

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Information provided by SBA and OEM indicated that there were minimal to no impacts to commercial businesses and development. Beyond financial impacts suffered by the loss and damage or residential personal and real property there were limited impacts to the local economy and businesses. SBA data indicated that information on impacted businesses was only collected for 7 businesses with only one being located in the MID Area. This business did suffer the most significant impacts of those identified by SBA with \$919,849.18 in SBA verified loss. The

business was eligible for \$821,800 in SBA recovery loan funds leaving \$98,049.18 in unmet recovery need.

As was previously indicated the OEM also conducted field work to identify flood inundated properties within the County and the MID Area specifically. OEM identified 1,348 flooded properties in the County with 467, more than one-third, located in the MID Area alone. Very few of these properties were commercial properties, however, with only 28 (6%) of the properties in the MID Area found to be non-residential properties. This information continued to support the common understanding that the greatest impact and thereby the greatest need remained with residential properties, particularly affordable rental properties.

d. Mitigation Only Activities.

The County does not anticipate engaging in any “mitigation only” activities. All mitigation components, and associated mitigation funding, will be incorporated into the identified affordable housing development project. This includes both the \$672,000 from 87 FR 31636 and \$439,000 from 88 FR 3198 totaling \$1,111,000 in mitigation funding.

All mitigation components, and associated mitigation funding, will be incorporated into the identified affordable housing development project. Therefore, assuming that the 15% set-aside for mitigation will be applicable to the second allocation of funds as well (approximately \$439,174), the County anticipates including a total of \$1,111,174 of mitigation features into the affordable housing development project. These features may include:

- Facility elevation if constructed in a flood prone area,
- Inclusion of communal tornado safe rooms (below grade if possible). Room(s) may function as laundry, community room, or some other communal use when not used as a tornado shelter,
- Wind resistant design,
- On-site generator, and
- Impact windows and reinforced roofing.

Mitigation features will be finalized during design based on factors such as site location, facility layout/design, cost among other factors.

3. General Requirements

a. Citizen Participation.

Outreach and Engagement. In the development of this disaster recovery action plan, MDHA consulted with disaster-affected citizens, stakeholders, local governments, public housing authorities, and other affected parties in the surrounding geographic area to ensure consistency of disaster impacts identified in the plan, and that the plan and planning process was comprehensive and inclusive.

MDHA recognizes that affected stakeholders are the center of, and partners in, the development and implementation of this plan. Opportunities for citizen input were provided throughout the planning process through the website, public hearings, and advertisements.

In addition to the activities above, MDHA has published this action plan on [Community Development Block Grant - Disaster Recovery - Metropolitan Development and Housing Agency \(nashville-mdha.org\)](http://www.nashville-mdha.org/community-development-department/cdbg-dr/) for TWO 30-day public comment period. Citizens were notified through the website, public meetings and advertisements. MDHA will ensure that all citizens have equal access to information, including persons with disabilities (vision and hearing impaired) and limited English proficiency (LEP).

A summary of citizen comments on this action plan, along with MDHA responses, is in Appendix c of this document.

For more information, citizens can refer to MDHA's citizen participation plan that can be found at <https://www.nashville-mdha.org/community-development-department/cdbg-dr/>.

Public hearings.

Outreach and Engagement. In the development of this disaster recovery action plan, Nashville-Davidson County consulted with disaster-affected citizens, stakeholders, local governments, public housing authorities, and other affected parties in the surrounding geographic area to ensure consistency of disaster impacts identified in the plan, and that the plan and planning process was comprehensive and inclusive.

Nashville-Davidson County recognizes that affected stakeholders are the center of, and partners in, the development and implementation of this plan. Opportunities for citizen input were provided during the planning process through the provision of an online survey and information provided by the public during the public meeting.

Both meetings were advertised in The Tennessean and online at the MDHA website.

In addition to the activities above, Nashville-Davidson County has published this action plan on <http://www.nashville-mdha.org/community-development/cdbg-dr/> for two 30-day public comment period, one beginning on January 25, 2023 and one beginning on July 19, 2023. Citizens were notified through ads placed in the Tennessean, the Spanish Publication, Azul615 and the Tennessee Tribune. Additionally, MDHA maintains a list serve of interested parties that are notified via ConstantContacts. Nashville-Davidson County will ensure that all citizens have equal access to information, including persons with disabilities (vision and hearing impaired) and limited English proficiency (LEP).

Public Comment Period: The draft Action Plan for the use of the CDBG-DR funds was made available for public examination and comment on January 25, 2023 and in Spanish and Arabic on July 19, 2023.

- Members of the public may download copies in the following ways:

- Downloading copies from MDHA's website at <http://www.nashville-mdha.org/community-development/cdbg-dr/>
- Requesting copies by contacting the MDHA Community Development Department at 615-252-8505 or Telephone Device for the Deaf (TDD) at 615-252-8599;
- Picking up copies in the lobby of MDHA's Community Development Department at 712 S. Sixth St., Nashville, TN 37206, between the hours of 7:30 and 4:00 p.m. Monday through Friday.

MDHA received written comments through 4 p.m. CST, Saturday, February 25, 2023 for the 1st public comment period and through 4 p.m. CST, Saturday, August 19, 2023 for the 2nd public comment period.

- Comments may be submitted electronically at consolidatedplan@nashville-mdha.org;
- Faxed to 615-252-8533 (Attention: CDBG-DR Action Plan);
- Mailed to MDHA Community Development Department, Attention: Consolidated Plan, P.O. Box 846, Nashville, TN 37202. Mailed comments must be postmarked no later than February 25, 2023;
- Hand delivered to MDHA Community Development Department (and follow instructions on door for acceptance of delivery), Attention: Consolidated Plan, 712 S. Sixth St., Nashville, TN 37206.

A summary of citizen comments on this action plan, along with Nashville-Davidson County responses, is in Appendix C of this document.

For more information, citizens can refer to Nashville-Davidson County citizen participation plan that can be found at <http://www.nashville-mdha.org/community-development/cdbg-dr/>

Public Hearings

The County held a virtual public hearing on January 31st, 2023, during which time the public comment period was opened, and the draft version of the Action Plan was available for public review on the County's website. A live public hearing was held at Casa Azafran, 2195 Nolensville Pike, Nashville, TN 32711 on February 15, 2023 from 5:30 pm to 6 pm to 7 pm, and virtually. There were no comments and no member of the public in attendance. Both meetings were advertised.

The County held a virtual public hearing on January 31st, 2023, during which time the public comment period was opened, and the draft version of the Action Plan was available for public review on the County's website. A live public hearing was held at Casa Azafran, 2195 Nolensville Pike, Nashville, TN 32711 on February 15, 2023 from 5:30 pm to 6 pm to 7 pm, and virtually. There were no comments and no member of the public in attendance. Both meetings were advertised.

The Action Plan went before Metro Council on April 4, 2023, at which time a resolution authorizing its submittal to HUD was approved. There were no public comments.

The Action Plan was made available in Spanish and Arabic for a 2nd public comment beginning July 19, 2023 and ending at 4:00 p.m. CST on August 19, 2023. A virtual public hearing was held or the re-release of the Action Plan in Spanish and Arabic was held on August 4, 2023.

Spanish translation was provided for the public hearings held during the 1st public comment period and Spanish and Arabic was provided for the virtual public hearing that was held during the 2nd public comment period.

Complaints. Complaints alleging violation of fair housing laws will be directed to HUD for immediate review. Complaints regarding fraud, waste, or abuse of funds will be forwarded to the HUD OIG Fraud Hotline (phone: 1-800-347-3735 or email: hotline@hudoig.gov). MDHA will make available to HUD detailed Fraud, Waste, and Abuse Policies and Procedures on [Community Development Block Grant \(CDBG\) - Metropolitan Development and Housing Agency \(nashville-mdha.org\)](http://www.nashville-mdha.org/community-development/cdbg-dr/) to demonstrate adequate procedures are in place to prevent fraud, waste, and abuse.

The goal of the County is to resolve complaints in a manner that is both sensitive to the complainants concerns and to achieve fair results. Regardless of the complaint, program staff members will treat the issue with respect, be able to respond to the complainant about the complaint's status, and handle the issue quickly, within 15 working days if practicable.

Information on how to file a complaint will be available at the program offices and is available on the CDBG-DR webpage: <http://www.nashville-mdha.org/community-development/cdbg-dr/>

a) Informal Complaints

Complaints that are brought forward in an informal manner—orally or revealed in the process of addressing another issue—will be addressed where possible regardless of the source of the complaint. Informal complaints or appeals can be made by phone or in person with a CDBG-DR/MIT Grant Manager at the MDHA office located at:

Metropolitan Development and Housing Agency

712 S. 6th Street

Nashville, TN 37206

If a resolution can't be met through the informal process and/or a registrant or applicant believes that the Program's determination of their funding award calculation, eligibility status, or construction workmanship is incorrect/does not meet standards, they can request a Formal Appeal Form from the Case Manager or CDBG-DR/MIT Grant Manager.

The method to address informal complaints involves notifying the person submitting the complaint of the formal complaint process. Issues which can be addressed through verbal

discussion without necessitating a formal complaint process will be done so. This will be decided upon by the Case Manager or CDBG-DR/MIT Grant Manager.

When responding to an informal complaint, the county staff will obtain all pertinent information from the complainant, including the issue raised, the name of the complainant (if possible) and associated contact information, and any other information regarding the complaint. If no name or contact number is provided, then that will be noted and placed in an informal complaint file—either electronic or hard copy. This communication will indicate that the complainant was notified of how to file a formal complaint.

b) Formal Complaints

Formal complaints must be submitted in writing or via email to the Metropolitan Development and Housing Agency.

Any complaint that does not include the contact's name and associated contact information will not be treated as a Formal Complaint. Any complaint forwarded to MDHA from Tennessee Disaster Recovery Office or U.S. Department of Housing and Urban Development (HUD) will also be considered a written complaint.

Complaints may be submitted in the following ways:

Mail:

Metropolitan Development and Housing Agency

712 S. 6th Street

Nashville, TN 37206

Email: tgilligan@Nashville-MDHA.org

Hand Deliver:

Metropolitan Development and Housing Agency

712 S. 6th Street

Nashville, TN 37206

1. Required Documentation

Every Formal Complaint will be entered into the project tracking system and maintained as either an electronic or hard copy file. The project tracking system will note any complaints and their potential resolution. Once the complaint is entered in the tracking system, the CDBG-

DR/MIT Grant Manager or their designee will determine if the complaint has standing by determining the following:

- The Complainant is a registrant or applicant, contractor or direct party.
- Associated contact information has been provided.
- The complaint is relevant.

If the complaint is valid, the CDBG-DR/MIT Grant Manager or a designee will perform the following steps:

- Review and/or investigate the complaint.
- Once the complaint has been resolved, or if it needs more work than can be done at the local program level, refer the complaint to the CDBG-DR/MIT Grant Manager to seek resolution.
- Provide documentation regarding the final result and resolution to Davidson County if applicable.
- Provide a copy of this Policy relating to investigation and resolution to the Complainant and to each person who is subject of the complaint.
- Notify the Complainant of the results, or if longer than 15 days, provide a status of the review process.
- Close the complaint.

1. Appeals

Throughout the process, decisions will be made on the project and the decisions are made based on statutes, codes of federal regulation, local administrative code, state and local guidelines as they are interpreted by the program. This policy guides the process for a complainant appealing decisions made by the program staff.

1. *Grounds to Appeal a decision.* This appeal process is available to an Appealing Party under the following ground:
2. In response to the County's decision on a previously filed complaint.
3. Scope of Work
 - Quality of Construction
1. Wage compliance
2. A Complainant must submit a Formal Appeal Form within:
 3. 10 days from receipt of the Scope of Work; or
 4. 10 days from a wage compliance decision made by the County
- 5 days from receipt of County's decision on a previously filed complaint.
1. 3 days from interim or final inspection approving quality of construction.

Appeals must be submitted in written form or via email. Any appeal that does not include the contact's name and associated contact information will not be recognized as an acceptable appeal. Any appeal must originate from a person with standing in the program as a subrecipient, contractor, or other direct party.

Appeals may be submitted in the following ways:

Mail:

Metropolitan Development and Housing Agency

712 S. 6th Street

Nashville, TN 37206

Email: tgilligan@Nashville-MDHA.org

Hand Deliver:

Metropolitan Development and Housing Agency

712 S. 6th Street

Nashville, TN 37206

1. A Contractor may only appeal the issues related to one of more of the following:
 - Draw payment
 - Failure to meet benchmark construction deadlines
1. Appeal of Local Program Decision. An Appealing Party must submit an appeal in writing or via email to the MDHA to request an appeal review by the Agency Director. The appeal must be submitted within (10) ten days from date of the staff response to original complaint. This request should be sent to MDHA.

The written appeal must include specific information relating to the challenge of the staff decision. The appeal and the Application file shall be made available to the Agency Director upon receipt of an Appeal. The Agency Director shall respond in writing to the Appeal not later than the fifteenth (15) working day after the date of receipt of the Appeal. The response may take one of the following actions:

- Concur with the Appeal and make the appropriate adjustments to the staff's decision; or
- Disagree with the Appeal and provide the basis for rejecting the Appeal to the Appealing Party.

1. Appeal of Agency Director decisions. If the grievance is not resolved to the satisfaction of the program participant at this level, the aggrieved party can submit a written request for a hearing before an Independent Hearing Examiner within (10) ten days from date of the Agency Director response. This request should be sent to MDHA at the address provided above. The aggrieved party is entitled to a hearing before an Independent Hearing Examiner. This hearing represents the final level of appeal at the local level. The CDBG-DR/MIT Grant Manager will provide the complainant with the written finding/decision from the Independent Hearing Examiner.

2. Filing

Additionally, a copy of the grievance and response will be maintained with the project file. If the grievance has been forwarded to Davidson County by HUD, the County's response to the grievance shall be copied to HUD and emailed to HUD's designated Hazard Mitigation email address.

3. Complaints to HUD

Persons not satisfied with the County's complaints and appeals process may present their written grievance or objection to the HUD area office:

Historic U. S. Customs House

U.S. Department of Housing and Urban Development (HUD)

701 Broadway, Suite 130

Nashville, TN 37203

Complaints alleging violation of fair housing laws will be directed to HUD for immediate review. Complaints regarding fraud, waste, or abuse of funds will be forwarded to the HUD OIG Fraud Hotline (phone: 1-800-347-3735 or email: hotline@hudoig.gov). *Nashville-Davidson County* will make available to HUD detailed Fraud, Waste, and Abuse Policies and Procedures <http://www.nashville-mdha.org/community-development/cdbg-dr/> to demonstrate adequate procedures are in place to prevent fraud, waste, and abuse.

Complaints regarding Fair Housing discrimination should be reported to FHEO Region 4 Office, (800) 440-8091 and complaintsoffice04@hud.gov.

b. Public Website.

MDHA will maintain a public website that provides information accounting for how all grant funds are used, managed, and administered, including links to all disaster recovery action plans, action plan amendments, program policies and procedures, performance reports, citizen

participation requirements, and activity and program information described in this plan, and details of all contracts and ongoing procurement processes.

These items are made available through <https://www.nashville-mdha.org/community-development-department/cdbg-dr/>. Specifically, MDHA will make the following items available: the action plan created using DRGR (including all amendments); each QPR (as created using the DRGR system); citizen participation plan; procurement policies and procedures; all executed contracts that will be paid with CDBG-DR funds as defined in 2 CFR 200.22 (including subrecipients' contracts); and a summary including the description and status of services or goods currently being procured by the grantee or the subrecipient (e.g., phase of the procurement, requirements for proposals, etc.). Contracts and procurement actions that do not exceed the micro-purchase threshold, as defined in 2 CFR 200.67, are not required to be posted to a grantee's website.

In addition, MDHA will maintain a comprehensive website regarding all disaster recovery activities assisted with these funds.

The website will be updated in a timely manner to reflect the most up-to date information about the use of funds and any changes in policies and procedures, as necessary. At a minimum, updates will be made monthly.

MDHA will have a separate webpage that can be accessed at <http://www.nashville-mdha.org/community-development/cdbg-dr/> dedicated to its disaster recovery activities assisted with CDBG-DR funds for the 2021 storms. The following required items will be posted on the website as they become available:

- The Action Plan created using DRGR (including all amendments);
- Each Performance Report (as created using the DRGR system);
- Citizen participation plan;
- Procurement policies and procedures
- All executed contracts/subrecipient agreements that will be paid with CDBG-DR 2021 funds as defined in 2 CFR 200.22; and
- A summary including the description and status of services or goods currently being procured by MDHA and/or subrecipient with CDBG-DRGR 2021 funds (e.g., phase of the procurement, requirements for proposals, etc.)

Upon request, MDHA will make these documents available to persons with disabilities and those with limited English proficiency (LEP) in accordance with the requirements of Section III. D.1.d. of the Consolidated Notice.

Additionally, MDHA will take reasonable steps to ensure meaningful access to CDBG-DR activities and programs by LEP persons, including members of protected classes, vulnerable populations, and individuals from underserved communities as described in Section III. D. 1.d. of the Consolidated Notice.

MDHA will update its CDBG-DR webpage at least quarterly or more frequently as new information becomes available that needs to be posted.

c. Amendments. Over time, recovery needs will change. Thus, MDHA will amend the disaster recovery action plan as often as necessary to best address our long-term recovery needs and goals. This plan describes proposed programs and activities. As programs and activities develop overtime an amendment may not be triggered if the program or activity is consistent with the descriptions provided in this plan.

Substantial Amendment. A change to this action plan is considered to be a substantial amendment if it meets the following criteria:

- A change in program benefit or eligibility criteria,
- The addition or deletion of an activity, or
- The allocation or reallocation of \$1,000,000.

When MDHA pursues the substantial amendment process, the amendment will be posted here at <https://www.nashville-mdha.org/community-development-department/cdbg-dr/> for a 30-day public comment period. The amendment will be posted in adherence with ADA and LEP requirements. MDHA will review and respond to all public comments received and submit to HUD for approval.

Substantial Amendment. A change to this action plan is considered to be a substantial amendment if it meets the following criteria:

- A change in program benefit or eligibility criteria,
- The addition or deletion of an activity, or
- The allocation or reallocation of \$1,000,000 or more.

When Nashville-Davidson County pursues the substantial amendment process, the amendment will be posted here at <http://www.nashville-mdha.org/community-development/cdbg-dr/> for a 30-day public comment period. The amendment will be posted in adherence with ADA and LEP requirements. Nashville-Davidson County will review and respond to all public comments received and submit to HUD for approval.

Non-Substantial Amendment. A non-substantial amendment is an amendment to the plan that includes technical corrections and clarifications and budget changes that do not meet the monetary threshold for substantial amendments to the plan and does not require posting for public comment. MDHA will notify HUD five (5) business days before the change is effective.

All amendments will be numbered sequentially and posted to the website into one final, consolidated plan.

that includes technical corrections and clarifications and budget changes that do not meet the monetary threshold for substantial amendments to the plan and does not require posting for

public comment. Nashville-Davidson County will notify HUD five (5) business days before the change is effective.

All amendments will be numbered sequentially and posted to the website into one final, consolidated plan.

d. Displacement of Persons and Other Entities. To minimize the displacement of persons and other entities that may be affected by the activities outlined in this action plan, MDHA will coordinate with the City of Nashville and Davidson County to minimize displacement. Should any proposed projects or activities cause the displacement of people, the following policy has been adopted to ensure the requirements of Uniform Relocation Assistance and Real Property Acquisition Act of 1970 (URA), as amended are met.

Displacement of Persons and Other Entities. To minimize the displacement of persons and other entities that may be affected by the activities outlined in this action plan, Nashville-Davidson County will coordinate with local landlords, rental property sites, and MDHA to minimize displacement. Should any proposed projects or activities cause the displacement of people, the following policy has been adopted to ensure the requirements of Uniform Relocation Assistance and Real Property Acquisition Act of 1970 (URA), as amended are met.

Displacement occurs when an individual, family, partnership, association, corporation, or organization moves from their home, business, or farm, or moves their personal property as a direct result of a federally-funded acquisition, demolition or rehabilitation. Generally, displacement does not include persons displaced temporarily from their dwelling for less than 12 months while it is being rehabilitated. Displaced persons and entities are eligible for relocation assistance under federal law.

As a part of this plan, MDHA is required to describe its plans to minimize displacement of persons and to specify the types and levels of assistance MDHA will make available to persons displaced. To minimize displacement, MDHA will avoid the acquisition and demolition of occupied structures. When displacement is necessary and unavoidable, MDHA will offer the following types of assistance.

For Residential Displacements

- Provide relocation advisory services to displaced tenants and owner occupants
- Provide a minimum 90 days written notice to vacate prior to requiring possession
- Reimburse for moving expenses
- Provide payments for the added cost of renting or purchasing comparable replacement housing.

For Nonresidential Displacements (businesses, farms, and nonprofit organizations)

- Provide relocation advisory services
- Provide a minimum 90 days written notice to vacate prior to requiring possession
- Reimburse for moving and re-establishment.

e. Protection of People and Property.

Nashville-Davidson County's CDBG-DR programs or activities will be designed to protect people and property from harm through an emphasis on high quality, durability, energy efficiency, a healthy indoor environment, sustainability, and water or mold resistance. The County is committed to enforcing modern building codes and all other applicable codes, standards and ordinances for all CDBG-DR programs or activities.

Nashville-Davidson County will closely monitor each project utilizing CDBG-DR funding to verify that quality materials and standards are being utilized, that all necessary permits and approvals are in place, elevation requirements are met, and that green building standards are being incorporated when possible and cost effective. To improve the protection of Metro Nashville-Davidson County residents and property, site visits will be conducted regularly during construction to verify that the proper materials and construction standards are being applied during the project. Projects will be inspected during these site visits using a detailed checklist to ensure all applicable construction standards are adhered to. This will include elevations above Base Flood Elevations, use of high-quality materials as well as adherence to other standards that will increase resident safety and property protection.

Nonresidential structures, including infrastructure, assisted with CDBG-DR funds must be elevated to the standards described in this paragraph or floodproofed, in accordance with FEMA floodproofing standards at 44 CFR 60.3(c)(3)(ii) or successor standard, up to at least two feet above the 100-year (or one percent annual chance) floodplain. All Critical Actions, as defined at 24 CFR 55.2(b)(3), within the 500-year (or 0.2 percent annual chance) floodplain must be elevated or floodproofed (in accordance with FEMA floodproofing standards at 44 CFR 60.3(c)(2)–(3) or successor standard) to the higher of the 500-year floodplain elevation or three feet above the 100-year floodplain elevation. If the 500-year floodplain or elevation is unavailable, and the Critical Action is in the 100-year floodplain, then the structure must be elevated or floodproofed at least three feet above the 100-year floodplain elevation. There is no infrastructure contemplated in this allocation of CDBG DR funding.

Elevation standards. For new construction, repair of substantially damaged, or substantial improvement structures principally for residential use and located in the 1 percent annual (or 100-year) floodplain must be elevated with the lowest flood, including the basement, at least two feet above the 1 percent annual floodplain elevation.

Mixed-use structures with no dwelling units and no residents must be elevated or floodproofed up to at least two feet above base flood elevation.

If a structure is located in a 500-year floodplain, the structure must be elevated three feet above the 100-year floodplain.

Elevation standards. For new construction, repair of substantially damaged, or substantial improvement structures principally for residential use and located in the 1 percent annual (or 100-year) floodplain must be elevated with the lowest flood, including the basement, at least two feet above the 1 percent annual floodplain elevation.

Mixed-use structures with no dwelling units and no residents must be elevated or floodproofed up to at least two feet above base flood elevation.

If a structure is located in a 500-year floodplain, the structure must be elevated three feet above the 100-year floodplain.

MDHA will not locate its affordable housing development project in an area identified as being located in the 1 percent annual (or 100-year) floodplain

Flood Insurance Requirements. CDBG-DR funds are not proposed for rehabilitation.

However, this information is provided in case a subsequent substantial amendment allows this activity.

Assisted property owners must comply with all flood insurance requirements. HUD-assisted homeowners for a property located in a Special Flood Hazard Area must obtain and maintain flood insurance in the amount and duration prescribed by FEMA's National Flood Insurance Program (NFIP). Nashville-Davidson County may not provide disaster assistance for the repair, replacement or restoration of a property to a person who has received Federal flood disaster assistance that was conditioned on obtaining flood insurance and then that person failed to obtain or allowed their flood insurance to lapse for the property. Nashville-Davidson County is prohibited by HUD from providing CDBG-DR assistance for the rehabilitation or reconstruction of a house if:

- The combined household income is greater than 120% AMI or the national median,
- The property was located in a floodplain at the time of the disaster, and
- The property owner did not maintain flood insurance on the damaged property.

To ensure adequate recovery resources are available to LMI homeowners who reside in a floodplain but who are unlikely to be able to afford flood insurance they may receive CDBG-DR assistance if:

- The homeowner had flood insurance at the time of the qualifying disaster and still has unmet recovery needs, or
- The household earns less than 120% AMI or the national median and has unmet recovery needs.

MDHA will confirm and keep records of any required flood insurance upon completion of the project. Documentation will be kept on file in the County's project file.

- The combined household income is greater than 120% AMI or the national median,

- The property was located in a floodplain at the time of the disaster, and
- The property owner did not maintain flood insurance on the damaged property.

To ensure adequate recovery resources are available to LMI homeowners who reside in a floodplain but who are unlikely to be able to afford flood insurance may receive CDBG-DR assistance if:

- The homeowner had flood insurance at the time of the qualifying disaster and still has unmet recovery needs, or
- The household earns less than 120% AMI or the national median and has unmet recovery needs.

Construction Standards. Nashville-Davidson County will require quality inspections and code compliance inspections on all projects and places an emphasis on high-quality, durable, sustainable, and energy efficient construction methods and materials. Site inspections will be required on all projects to ensure quality and compliance with building codes.

All rehabilitation, reconstruction, or new construction must meet an industry-recognized standard that has achieved certification under at least one of the following programs:

- Energy STAR (Certified Homes or Multifamily High Risk)
- Enterprise Green Communities
- LEED (New Construction, Homes, Midrise, Existing Building Operations and Maintenance or Neighborhood Development)
- ICC- 700 National Green Building Standards
- EPA Indoor AirPlus
- Any other equivalent comprehensive green building standard program acceptable to HUD

Nashville-Davidson County will require that all construction be completed to conform to first class, conventional construction standards, the 2018 International Building Code and local building and construction standards for the proposed programs or activities.

Though rehabilitation is not proposed.

For rehabilitation of non-substantially damaged residential buildings, Nashville-Davidson County will follow the guidelines to the extent applicable as specified in the [HUD CPD Green Building Retrofit Checklist](#). When older or obsolete products are replaced as part of rehabilitation work, the rehabilitation is required to use ENERGY STAR-labeled, WaterSense-labeled, or Federal Energy Management Program (FEMP)-designed products and appliances.

The County will ensure that any construction is in conformity with construction standards through a construction inspection schedule which will be developed once facility plans have been finalized. All procurement material for any construction will include information indicating construction standard requirements including property and habitability requirements established by HUD. The property and habitability standard will be enforced over the 20-year affordability period of the facility.

MDHA will meet the Green and Resilient Building Code standards established in section II.B.2.a. for (i) all new construction and reconstruction of residential buildings and (ii) all rehabilitation activities of substantially damaged residential buildings, including changes to structural elements such as flooring systems, columns, or load-bearing interior or exterior walls.

Contractors Standards. Contractors selected under *Nashville-Davidson County* will make every effort to provide opportunities to low and very-low-income persons by providing resources and information to notify Section 3 individuals and businesses of opportunities in the community. *The County has a Section 3 plan and encourages Section 3 participation for all vendors and their employees. Nashville-Davidson County will report Section 3 accomplishments in the Disaster Recovery Grant Reporting (DRGR) system.*

Preparedness, Mitigation and Resiliency. Resilience is defined as a community's ability to minimize damage and recover quickly from extreme events and changing conditions, including natural hazard risks.

Introduction

A critical component of this Action Plan, as required by the Federal Register, is Nashville-Davidson County's Mitigation Needs Assessment. In order to identify, develop and consider projects and to ultimately assist in informing the allocation of CDBG-MIT funds, a mitigation needs assessment must be conducted. The development of this assessment requires that the County, "identify and analyze all significant current and future disaster risks" and "use the most recent risk assessment completed or currently being updated through the FEMA HMP process to inform the use of CDBG-MIT funds." In order to accomplish this the County conducted an analysis of the current Nashville-Davidson Multi Hazard Mitigation Plan. It should also be noted that this HMP was developed before the impacts of the County's most recent Presidentially declared disasters which qualified the County for initial CDBG-DR funds and the resulting CDBG-MIT funds. Therefore, some of the impacts from those events, particularly those involving infrastructure, were not accurately accounted for in the HMP as they relate to the utilization of the County's CDBG-MIT funds. The County had to account for these impacts and factors in addition to the information obtained from the HMP analysis.

This assessment must also analyze hazard risks which impact HUD defined Most Impacted and Distressed (MID) regions of the County. Under the Federal Register Notice zip code area 37211 in Nashville-Davidson County is the identified MID area.

MDHA will assess its mitigation needs in a manner that effectively addresses risks to indispensable services that enable continuous operation of critical business and government functions, and are critical to human health and safety, or economic security.

Purpose of the Mitigation Needs Assessment

The purpose of this Community Development Block Grant (CDBG) Mitigation (MIT) needs assessment is to examine current hazards as well as future risks as they relate to community lifelines. Community lifelines are key operations that enable the continuous operation of

government functions and critical business and is essential to human health and safety or economic security. The key lifelines are identified below:

- Safety and security
- Food, water, sheltering
- Health and medical
- Energy (Power and Fuel)
- Communications
- Transportation
- Hazardous Material

The lifelines are designed to highlight priority areas and interdependencies. Each lifeline is comprised of multiple components and essential elements of information needed to stabilize an incident.

The needs assessment will be used to develop a CDBG-MIT action plan to identify activities designed to increase resilience to community lifelines and ensure they can continue to function despite the occurrence of future 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. The CDBG-MIT action plan will also prioritize activities that benefit vulnerable and lower-income individuals and communities while also identifying projects that will benefit areas that have been impacted by disasters.

Mitigation Assessment Summary

As part of the development of this Action Plan Nashville-Davidson County conducted a Mitigation Needs Assessment of the County's HMP as required under federal guidelines. The existing hazard mitigation plan identified 14 hazards which included:

- | | |
|--|--------------------------------|
| • Flooding | • Drought |
| • Tornado | • Wildfire |
| • Extreme Temperature -Heat | • Riverine Flood |
| • Extreme Temperature – Cold | • Hazardous Materials Incident |
| • Thunderstorm | • Communicable Diseases |
| • Landslide/Sinkhole | • Dam & Levee Failure |
| • Manmade –
Technological/Terrorism | • Earthquake |

Table 25: Vulnerability and Consequence to Community Lifelines Scores for All Hazards

Earthquake	35.71
Dam & Levee Failure	33.21
Flooding	31.26
Tornado	29.38
Manmade – Technological/Terrorism	28.82
Communicable Diseases	27.76
Wildfire	26.06
Drought	24.91
Extreme Temperature - Cold	24.71
Extreme Temperature - Heat	24.65
Hazardous Materials Incident	24.65
Thunderstorm	20.47
Landslide/Sinkhole	18.83

Results from this analysis were utilized to assist in the identification and evaluation of projects. As can be seen in Table 1-1, two of the three highest scoring hazards, Dam and Levee Failure and Flooding both result in flood related disasters. These are also the types of hazards which can and have resulted in significant impacts, damages and financial loss for the Nashville-Davidson County in recent years. So much so that the Nashville-Davidson County is still recovering from flood impacts from events occurring in 2010.

Overview of the All-Natural Hazard Risk Assessment and Hazard Mitigation Plan for Nashville-Davidson County, Tennessee

The Nashville-Davidson County Community Development Block Grant MIT Needs Assessment is informed primarily by the FEMA approved^[1] *Nashville-Davidson Multi-Hazard Mitigation Plan* (HMP) 2020.^[2] The HMP is the most current and in force HMP at the time of the development of this assessment. This Multi-Hazard Mitigation Plan identifies goals and measures for hazard mitigation and risk reduction in order to make communities less vulnerable and more disaster resistant and sustainable. Information in this plan should be used to help guide and coordinate mitigation activities and local policy decisions for future land use decisions. This Plan covers the jurisdiction of the Metropolitan Government of Nashville and Davidson County which includes the satellite cities, and local Universities.

This Plan follows the Disaster Mitigation Act planning requirements and associated guidance for developing Local Hazard Mitigation Plans. This guidance sets forth a generalized nine-task process:

- 1) Determine the Planning Area and Resources;

- 2) Build the Planning Team;
- 3) Create an Outreach Strategy;
- 4) Review Community Capabilities;
- 5) Conduct a Risk Assessment;
- 6) Develop a Mitigation Strategy;
- 7) Keep the Plan Current;
- 8) Review and Adopt the Plan; and
- 9) Create a Safe and Resilient Community.

Flooding

The Nashville Core Planning Team found flooding to be the highest rated hazard risk in the Nashville Davidson County community. This assessment is based on the impact, vulnerability and likelihood of an event. There are several types of flood events in Tennessee including flash, riverine, and urban stormwater. Regardless of the type of flood, the cause can almost always be attributed to excessive rainfall, either in the flood area or upstream reach. Floods are among the most frequent and costly natural disasters in terms of human hardship and economic loss.

A flood defined by FEMA is “a general and temporary condition of partial or complete inundation of 2 or more acres of normally dry land area or of 2 or more properties from overflow of inland waters; or unusual and rapid accumulation or runoff of surface waters from any source; or mudflow; or subsidence of land along a lake or water conveyance as a result of erosion or undermining caused by water current.”

The term "flash flood" describes localized floods of great volume and short duration. This type of flood usually results from a heavy rainfall on a relatively small drainage area. Flash floods, as described by NOAA, “the most dangerous kind of floods, because they combine the destructive power of a flood with incredible speed and unpredictability. Flash floods occur when excessive water fills normally dry creeks or riverbeds along with currently flowing creeks and rivers, causing rapid rises of water in a short amount of time. They can happen with little or no warning.” Densely populated areas are at a high risk for flash floods. Buildings, highways, driveways, parking lots, and other impervious areas increase runoff and reduce the amount of rain absorbed by the earth. The increased runoff caused by these impervious areas intensifies the flash flood potential.

Riverine floods result from persistent rain events for extended periods of time. This type of flood occurs in river systems whose tributaries may drain large geographic areas and include many independent river basins. The duration of riverine floods may vary from a few hours to many days. Factors that directly affect the amount of flood runoff include precipitation, intensity and

distribution, the amount of soil moisture, seasonal variation in vegetation, snow depth, and water-resistance of the surface areas due to urbanization.

Urban flood events result as land loses its ability to absorb rainfall as it is converted from fields or woodlands to roads, buildings, and parking lots. Urbanization increases runoff two to six times over what would occur on undeveloped terrain. During periods of urban flooding, streets can become swift moving rivers.

The public stormwater drainage system for Nashville-Davidson County is designed to handle the most frequent rain events. During a heavy rain, the storm drainage system can become overwhelmed resulting in flooded roads and buildings. Low spots, such as underpasses, underground parking garages, and basements are susceptible to flooding.

All flood events may result in upstream flooding due to downstream conditions such as channel restriction and/or high flow in a downstream confluence stream. This type of flooding is known as backwater flooding.

Earthquake

An earthquake is a shaking or trembling of the earth's surface caused by the lifting, shifting, breaking, or slipping of a fault line. Stresses in the earth's outer layer push the sides of the fault together. Stress builds up and the rocks slip suddenly, releasing energy in waves that travel through the earth's crust and cause the shaking that is felt during an earthquake.

Nashville is within proximity of two seismic zones, the New Madrid Seismic Zone and the Southern Appalachian Seismic Zone, a portion of which is known as the East Tennessee Seismic Zone.

According to the Tennessee Emergency Management Agency, instead of a prediction of when an earthquake will strike, an estimate of the likelihood of an earthquake recurring within a given time frame should be given:

- The U.S. Geological Survey (USGS) postulates the recurrence interval for a 5.0 magnitude event to be 10-12 years, and for a 6.0 magnitude event to be 70-90 years.
- The USGS and the Center for Earthquake Research and Information estimate that for a 50-year time period, the probability of a magnitude 7.5-8.0 event is 7-10 percent, and for a magnitude 6.0 or larger event is 25-40 percent.
- The highest recurrence rate of large earthquakes in Tennessee occurs in the northwestern quadrant of the state.
- New zones of relatively small seismicity have been identified near the Georgia-Tennessee border at Chattanooga, and roughly along Interstate 75 between Chattanooga and Knoxville. This area has not been studied enough to ascertain the expectancy of seismic event histories or likelihoods.

Dam & Levee Failure

Dams are man-made structures built for the purpose of navigation, power production, agriculture, water quality, water supply, recreation, and flood protection. A levee is a natural or artificial barrier that diverts or restrains the flow of a stream or other body of water for the purpose of protecting an area from inundation.

Dams are generally identified as one of the following three types:

- Detention dams minimize the effects of flood runoff by storing all or part of an anticipated flood runoff. The stored floodwater is released at a rate that does not exceed the carrying capacity of the channel downstream.
- Storage dams impound water during periods of surplus supply to be used during dry periods for crop irrigation, livestock watering, municipal or industrial water supply, or electricity generation.
- Diversion dams (not regulated) provide hydraulic head for diverting water from streams and rivers into ditches or canals. Partial or full failure of dams has the potential to cause massive destruction to the ecosystems and communities located downstream.

Dams and levees are usually designed to withstand a flood with a computed risk of occurrence. For example, a dam or levee may be designed to contain a flood at a location on a stream that has a certain probability of occurring in any one year. If a larger flood occurs, then that structure will be overtopped. Overtopping is the primary cause of earthen dam failure. Failed dams or levees can create floods that are catastrophic to life and property because of the tremendous energy of the released water and the amount of development located within the area protected by the dam or levee.

Dams and levees typically are constructed of earth, rock, concrete, or mine tailings. Two factors that influence the potential severity of a full or partial dam failure are:

- The amount of water impounded; and
- The density, type, and value of development and infrastructure located

Dam failures can result from any one or a combination of the following causes:

- Deliberate intention (terrorism);
- Prolonged periods of rainfall and flooding;
- Earthquake (liquefaction / landslides);
- Inadequate spillway capacity, resulting in excess overtopping flows;
- Internal erosion caused by embankment or foundation leakage or piping;
- Improper design;
- Improper maintenance;
- Negligent operation; and/or
- Failure of upstream dams on the same waterway

Tornado

The National Weather Service defines a tornado as a violently rotating column of air pendant from a thunderstorm cloud that touches the ground. Tornadoes are generally considered the most destructive of all atmospheric-generated phenomena; an average of 800 touch down annually in the United States. More tornadoes occur during the months of May and June than in other months. Additionally, over 30 percent of recorded tornado activity has occurred between the hours of 3:00 pm and 6:00 pm, and an additional estimated 25 percent has occurred between 6:00 pm and 9:00 pm. Thus, over half of all tornadoes occur between 3:00 and 9:00 pm.

The typical tornado path is 16 miles long with a width of less than one-quarter mile. Tornadoes have resulted in some of the greatest losses to life of any natural hazard, with the mean national death toll being between 80 and 100 persons every year.

Manmade – Technological/Terrorism

“Man-made hazards” are technological hazards and terrorism. These are distinguished from natural hazards in that they originate from human activity. The term “technological hazards” refers to the origins of incidents that can arise from human activities such as the manufacture, transportation, storage, and use of hazardous materials. Although this can also include potential damage from ground shaking or airborne materials resulting from blasting operations at quarries or construction sites, this hazard is not addressed in the plan since the State Fire Marshalls Office in the Tennessee Department of Commerce and Insurance regulates all blasting operations in the state.

The term “terrorism” refers to intentional, criminal and malicious acts. Terrorism is officially defined in the Code of Federal Regulations as “...the unlawful use of force or violence against persons or property to intimidate or coerce a Government, the civilian population, or any segment thereof, in furtherance of political or social objectives.” For the purposes of mitigation planning, “terrorism” refers to the use of Weapons of Mass Destruction (WMD) including biological, chemical, nuclear, and radiological weapons; arson, incendiary, explosive, and armed attacks; industrial sabotage and intentional hazardous materials releases; and “cyber terrorism.”

Communicable Diseases

Communicable diseases, sometimes called infectious diseases, are illnesses caused by organisms such as bacteria, viruses, fungi and parasites. Communicable diseases may be spread directly from one infected person to another, from an animal to a human or from some inanimate object (doorknobs, tabletops, etc.) to an individual.

Wildfire

Heavily wooded or forested areas cover only a small portion of Davidson County’s total land area; however, wildfires are not only in forested areas, but many also occur in grassland areas such as yards and pastures, primarily due to escaped debris burns. According to the TN Division of Forestry, debris burning, and arson are the two main causes of wildfires. Debris burning is not allowed within Davidson County without a permit.

Nonetheless, when the conditions are right, all these areas become vulnerable to devastating wildfires. Also, in the last few decades, the risks associated with Davidson County's wildfire hazard have increased dramatically due to the increase in urban development in and around forested areas.

Generally, there are three major factors that sustain wildfires and allow for predictions of a given area's potential to burn. These factors include:

- Fuel;
- Topography; and
- Weather

Fuel is the material that feeds a fire and is a key factor in wildfire behavior. Fuel is generally classified by type and by volume. Fuel sources are diverse and include everything from dead tree needles, twigs, and branches to dead standing trees, live trees, brush, and cured grasses. Man-made structures and other associated combustibles are also to be considered as a fuel source. The type of prevalent fuel directly influences the behavior of wildfire. Light fuels such as grasses burn quickly and serve as a catalyst for spreading wildfires.

An area's topography (terrain and land slopes) affects its susceptibility to wildfire spread. Fire intensities and rates of spread increase as slope increases due to the tendency of heat from a fire to rise via convection and radiation. The natural arrangement of vegetation throughout a hillside can also contribute to increased fire activity on slopes

Weather components such as temperature, relative humidity, wind, and lightning also affect the potential for wildfire. High temperatures and low relative humidity dry out the fuels that feed the wildfire creating a situation where fuel will more readily ignite and burn more intensely. Wind is the most treacherous weather factor. The issue of drought conditions contributes to concerns about wildfire vulnerability.

Drought

A drought is a period of drier-than-normal conditions that results in water-related problems. Drought diminishes natural stream flow and depletes soil moisture, which can cause social, environmental, and economic impacts. In general, the term "drought" is reserved for periods of moisture deficiency that are relatively extensive in both space and time. Precipitation (rain or snow) falls in uneven patterns across the country.

Extreme Temperature – Cold

The National Weather Service will issue a *Wind Chill Advisory* for Nashville-Davidson County when wind-chill temperatures are expected to reach -5°F to -15°F , and a *Wind Chill Warning* would be issued if it is expected to reach colder than -15°F .

Wind chill is based on the rate of heat loss from exposed skin caused by wind and cold. As the wind increases, it draws heat from the body, driving down skin temperature and eventually the internal body temperature.

Specifically, the new WCT index:

- Calculates wind speed at an average height of five feet (typical height of an adult human face) based on readings from the national standard height of 33 feet (10m);
- Is based on a human face model;
- Incorporates modern heat transfer theory (heat loss from the body to its surroundings, during cold and breezy/windy days);
- Lowers the calm wind threshold to 3 mph;
- Uses a consistent standard for skin tissue resistance; and
- Assumes no impact from the sun (i.e., clear night sky).

Extreme Temperature – Heat

Temperatures that remain 10 degrees or more above the average high temperature for the region and last for several weeks are defined as extreme heat by FEMA. Humid or muggy conditions, which add to the discomfort of high temperatures, occur when high atmospheric pressure traps damp air near the ground.

In an effort to alert the public to the hazards of prolonged heat and humidity episodes, the National Weather Service devised the "heat index". The heat index is an accurate measure of how hot it feels to an individual when the effects of humidity are added to high temperature. Table 4-22 presents heat index values and their potential physical effects.

The National Weather Service will issue a *Heat Advisory* for Nashville-Davidson County when daytime heat indices are at or above 105°F. An *Excessive Heat Warning* is issued when the heat index equals or exceeds 115°F for three hours or longer. An *Excessive Heat Advisory* is also issued when heat advisory conditions persist for at least 3 days. In either of these scenarios, the heat becomes dangerous for a large portion of the population.

Hazard Materials Incident

Nashville - Davidson County is unique with four major Interstate systems (I-65, I- 40, I-24 and I-440) that converge on the County. Then combine that with Briley Parkway and Ellington Parkway, which are state highways, which makes for an often-congested hub and one of the few unique cities in the nation that has that number of major motorways converging in one area such as Nashville. Nashville - Davidson County also boasts a major inter-coastal waterway (Cumberland River), two major rail lines (CSX North/South line and East/West) and one (Music City Star) commuter rail line. Nashville, with the growth spell it's had in recent years also has a busy International Airport bringing visitors from all over the world to enjoy the culture, history and music. Nashville has a major fuel pipeline (Colonial Pipeline) and natural gas line (Duke Energy) as well as major fuel depots that support the mid-state Region in addition to the County. There are many chemical companies, research laboratories and industry that have potential for

hazardous materials incidents, which makes Nashville and Davidson County have a higher probability for a hazardous materials incident. Nashville is also a unique city in that it's a frequent corridor for hauling radioactive and spent nuclear material, munitions and fuel rods from the region.

Submission of Tier II forms is required under Section 312 of the Emergency Planning and Community Right-to-know Act of 1986 (EPCRA). The purpose of this form is to supply officials and the public with specific information on potential hazards relating to hazardous chemicals at certain thresholds. Required information includes locations and amount of hazardous materials at the facility. Since September 1st, 2014, the State of Tennessee has required all facilities operating in the State to electronically file Tier II reports using E-Plan, and since 2015, Metro Nashville-Davidson County has gone to electronically filing using E- Plan as well, instead of facilities submitting paper copies to the Local Emergency Planning Committee (OEM) and Nashville Fire Department. Residents can request specific facility Tier II requests to the State Emergency Response Commission in writing. Approved first responders do not have to pay to use this E-Plan program

Most of our hazardous materials incidents tend to be accidental; however, there can be times where they're intentional such as chemical suicides, "white powder", or incidents with more nefarious intent. The majority of hazardous materials incidents in Nashville-Davidson County involve fuel spills from either damaged fuel tanks or overturned tankers. Fuel is delivered by pipeline, trucked in by semi and carried on the river by barges. In addition, there are numerous transports hauling chemicals through Nashville, such as: ammonia, oxygen, hydrogen, argon, nitrogen and acids to name a few.

[Landslide/Sinkhole](#)

The term landslide includes a wide range of ground movement, such as rock falls, deep failure of slopes, and shallow debris flows. Although gravity acting on an over-steepened slope is the primary reason for a landslide, there are other contributing factors:

- Erosion by rivers, glaciers, or ocean waves create over steepened slopes;
- Rock and soil slopes are weakened through saturation by snowmelt or heavy rains;
- Earthquakes create stresses that make weak slopes fail;
- Earthquakes of magnitude 0 and greater have been known to trigger landslides;
- Volcanic eruptions produce loose ash deposits, heavy rain, and debris flows; and
- Excess weight from accumulation of rain or snow, stockpiling of rock or ore from waste piles or from man-made structures may induce weak slopes to fail.

Landslides constitute a major geologic hazard because they are widespread, occurring in all 50 states, and cause \$1 to 2 billion in damages and more than 25 fatalities, on average, each year. Landslides pose serious threats to highways and to structures that support fisheries, tourism, timber harvesting, mining, and energy production, as well as general transportation. Landslides commonly happen concurrently with other major natural disasters such as earthquakes and floods, which exacerbate relief and reconstruction efforts. Expanded development and other land uses have increased the incidence of landslide disasters.

Karst is a distinctive topography in which the landscape is shaped by the dissolving action of water on carbonate bedrock (usually limestone, dolomite, or marble). Davidson County is characterized by gently folded and flat-lying carbonate rocks, indurated limestone, and dolomite that have not been strongly deformed. Dissolution in this region may produce solution, collapse, and cover-collapse sinkholes.

Solution sinkholes form as the limestone dissolves, creating sunken areas in the land surface. Collapse sinkholes form when caves collapse and suddenly drop a portion of the land surface above. Damage to buildings commonly results from collapse of soil and/or rock material into an open void space near or beneath man-made structures. As shown in figure 4-35, these three photos from different parts of the county proves that sinkholes happen all over the county; downtown, west and southeast.

Ground subsidence into even a small opening may be very costly if a structure sits on the overlying surface. Sinkhole collapses are often unpredicted and sudden, although they occur more frequently after heavy rainfall. Heavy rainfalls increase the soil's weight and decrease its strength and stability. Construction can also trigger collapses by directing runoff into a vulnerable area or, weakening the cover of an incipient collapse. Finally, lowering of the water table by a nearby well or from quarry pumping can also trigger collapse when the buoyant effect of groundwater is removed.

MDHA will utilize this funding award to build new affordable housing in response to FEMA Disaster 4601, which was a Flooding and Tornado event. Each of these are highly ranked in the HMP. The project will be constructed in accordance with the identified HMP hazards and will incorporate mitigation measures to account, in particular, for Flooding and Tornadoes.

Broadband Infrastructure in Housing. Any substantial rehabilitation or new construction of a building with more than four (4) rental units will include installation of broadband infrastructure, except when:

- The location of the new construction or substantial rehabilitation makes the broadband infrastructure infeasible,
- The cost of installing broadband infrastructure would result in a fundamental alteration in the nature of its program or activity or in an undue financial burden, or
- The structure of the housing to be substantially rehabilitated makes installation of broadband infrastructure infeasible.

The County's development of the affordable housing development project will include the installation and provision of broadband infrastructure. Broadband infrastructure in the facility will be designed to reliably meet or exceed symmetrical 100 Mbps download and upload speeds. Where it may not be practicable, because of geography or topography of the area to be served by the project, the project will be designed to reliably meet or exceed 100/20 Mbps and be scalable to a minimum of symmetrical 100 Mbps download and upload speeds.

Cost-Effectiveness.

The County is not going to engage in rehabilitation, reconstruction or renovation requiring an assessment of cost effectiveness. If the County changes its proposed project and use of funds resulting in the engagement of such activities the County will develop comprehensive policies regarding such assessment which will be included in the amended Action Plan.

While these policies will be developed and included in future amendments to this Action Plan if warranted, the County does define “not suitable for rehabilitation” as follows:

- Any property in which the cost to properly “rehabilitate” the unit, to bring it to livable standards under local code and HUD property and habitability standards, that exceed 50% of the total current value of the property.
- Any property located in an area where environmental or other hazards place residents in undue harm as identified through an environmental review or by other means as the County determines.

If the County pursues an alternative project or program resulting in rehabilitation, reconstruction or renovation of properties, the County will identify housing alternatives at that time dependent on the nature of the program/project and housing alternatives available in the market.

The County will utilize the cost principles described in 2 CFR Part 225 (OMB Circular A-87) to determine necessity and reasonableness. According to 2 CFR part 225, “A cost is reasonable if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made.”

Duplication of Benefits.

Federal law prohibits any person, business concern, or other entity from receiving Federal funds for any part of such loss as to which he/she has already received financial assistance under any other program, private insurance, charitable assistance or any other source. Such duplicative funding is called Duplication of Benefit (DOB) which is defined under the Robert T. Stafford Act (Stafford Act). These requirements were first introduced to CDBG allocated funds under the CDBG-DR allocation for disaster recovery.

Pursuant to the Stafford Act, the County has established and will follow policies and procedures to uphold the safeguard against DOB within its program guidelines for each eligible activity. Understanding that prevention of DOB is especially critical in the context of housing programs and in anticipation that some form of housing assistance will be identified to fulfill unmet disaster recovery needs at the conclusion of the County’s Action Plan development process, the County has established a framework for identifying potentially duplicative sources of funds and reducing documented duplications from potential project awards prior to any award actually being made. Additional information can be found in the County’s Duplication of Benefits Policies and Procedures included in Section XII of the County’s CDBG-DR Policy and Procedure Manual – 2021 Storms.

However, since the proposed project will be construction of new affordable housing, there will be no duplication of benefits in this case.

4. Grantee Proposed Use of Funds

Program Category	Program	Budget	HUD identified MID Budget	Grantee identified MID Budget	% of Allocation	Maximum Award	National Objective	Estimated Outcome
Housing	Rehab	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	0	0
	Buyout	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	0	0
	New Construction	\$6,555,200.00	\$6,555,200.00	\$0.00	76.96%	\$6,555,200.00	LMI	24 Affordable Rental Units
Economic Revitalization	Other	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	0	0
	Workforce Training	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	0	0
	Business Grants	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	0	0
Infrastructure	Other	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	0	0
	Water/sewer Improvements	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	0	0
	Health Facilities	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	0	0
Public Services	Other	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	0	0
	Legal Services	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	0	0
	Housing Counseling	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	0	0
Mitigation	Other	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	0	0
	Mitigation	\$1,111,000.00	\$1,111,000.00	\$0.00	13.04%	\$1,111,000.00	LMI	24 Hazard Resilient Dwelling Units
	Admin	\$425,900.00	\$425,900.00	\$0.00	5.00%	\$425,900.00	0	NA
Planning	Planning	\$425,900.00	\$425,900.00	\$0.00	5.00%	\$425,900.00	LMI	24 Affordable Rental Units

Program Category	Program	Budget	HUD identified MID Budget	Grantee identified MID Budget	% of Allocation	Maximum Award	National Objective	Estimated Outcome
Total		\$8,518,000.00	\$8,518,000.00		100.00%			

Overview. MDHA is the lead agency and responsible entity for administering \$8,518,000 in CDBG-DR funds allocated for disaster recovery. These programs include the development of LMI housing in the MID. The housing will include the creation of rental opportunities for LMI households. One or more developers will be selected in accordance with procurement procedures, which have not yet been developed. The projects may be new or renovated properties, depending on the results of the planning process. MDHA anticipates that about 24 new affordable housing units will be created. At least 70 percent of the funds will be used to benefit LMI residents.

If land for new construction or a project suitable for renovation is not available in the MID, the affordable housing may be constructed in close proximity to the MID, upon approval of a substantial amendment to this Action Plan as approved by HUD.

A property and a developer have not yet been identified for this project. MDHA will issue a Request for Applications (RFA) when the CDBG DR funds are available.

Planning funds will be used to issue the RFA to identify the type of affordable housing units to be provided, their location, and configuration.

a. Program Budget

Data Source(s): *Data Sources: MDHA

Connection to Unmet Needs. As required by the FRN 31636, Volume 87, No. 100, and FRN 3198, Volume 88, Number 11, MDHA will allocate at least 80 percent of the funds to address unmet needs with HUD-identified “most impacted and distressed” areas. The remaining 20 percent of the allocation may be used to address unmet needs that received a presidential major disaster declaration. MDHA intends to use all of the funds within the MID for the creation of LMI housing.

This action plan primarily considers and addresses unmet LMI housing need in accordance with *II. C. Allocations of CDBG-DR Funds for Smaller Grants*, which allows the CDBG DR funds to be allocated to address unmet affordable rental housing needs caused by or exacerbated by the disaster.

At least 70 percent of all program funds will benefit LMI persons or households. *The grantee should describe how they intend to meet the overall benefit requirements.*

Connection to Unmet Needs. As required by the Federal Register notices, Volume 87, No. 100 on May 24, 2022 and Volume 8, No. 11 on January 18, 2023, Nashville-Davidson County will

allocate 100% percent of the funds to address unmet needs with HUD-identified “most impacted and distressed” areas. The allocation will be used to address unmet needs related to the flooding that occurred during the presidential major disaster declaration 4601-DR-TN.

- This action plan primarily considers and addresses the impacts, damages and loss of housing during the 4601-DR-TN disaster event. The information provided by FEMA, SBA and OEM all indicated that residential properties were the most significantly impacted. Information provided by OEM, and provided through interviews with local VOADs, also indicated that rental housing units were substantially impacted and resulted in the significant displacement of families requiring rehousing services.

Information provided by FEMA indicated that they collected information on 387 residential properties but only confirmed 128 (33%) as sustaining verified real property loss. However, the County believes this number is woefully short of actual need since OEM data recorded flooding at more than 400 residential properties containing over 1,500 residential units. While the SBA Disaster Loan Database for the DR-4601 contained minimal information, it did support the fact that a majority of the properties impacted by flooding were residential with three times the number of properties being residential as opposed to commercial businesses.

The County also seeks to undertake an affordable housing project due to language provided in the Federal Register (87 FR 31636) Part II.C permitting smaller CDBG-DR funding recipients to “*propose a **disproportional allocation** when the grantee is allocating funds to **address unmet affordable rental housing needs caused by or exacerbated by the disaster(s).**”*

Per 87 FR 31636 and 88 FR 3198 Part II.C

*HUD recognizes that grantees receiving a relatively small allocation of funds for 2021 disasters in this notice may most effectively advance recovery by more narrowly targeting these limited recovery and mitigation resources. Accordingly, for grantees receiving an allocation of less than \$20 million for 2021 disaster(s) in this notice, **HUD will consider the small size of the grant and HUD’s allocation methodology as acceptable justification** for a grantee to propose a **disproportional allocation** when the grantee is allocating funds to **address unmet affordable rental housing needs caused by or exacerbated by the disaster(s).** Grantees exercising this option must continue to comply with the applicable requirements of this notice and the Consolidated Notice, including the CDBG–DR mitigation set-aside requirement in section IV.A.4 (IV.A.2). of this notice.*

The County wishes to further its case regarding the critical need for affordable housing within the County by citing the ongoing need identified in a variety of documents and other resources maintained by the County. The top priority identified in the County’s 2018-2023 5-Year Consolidated Plan was; the need for new, decent, and safe affordable housing and, the provision of assistance to help low- and moderate-income households access affordable housing. Additionally, the County’s HOME-ARP Allocation Plan documented that MDHA identified the following primary need when consulted for HOME-ARP:

Unit creation – affordable and supportive housing, is the primary need in the County. Geographic dispersion and choice of location is also needed. The voucher program has been challenged to secure units in the current housing market as landlords have little incentives to participate in public subsidy programs, and Fair Market Rents aren't keeping up with rapidly rising rents.

Lastly, as was noted earlier, the issue has become so significant that two substantial efforts have been undertaken in recent years (2021) to analyze the affordable and supportive housing needs of the area. These included the Continuum of Care (CoC) driven needs assessment and Mayor Cooper's Affordable Housing Task Force's report.

- *At least 70 percent of all program funds will benefit LMI persons or households. Due to the nature of the project, all units constructed in the affordable housing development project will be made available to LMI households for the life of the project's 20-year affordability period.*

Resilience Performance Metrics

The greatest risk posed to the proposed project based on an analysis of the HMP and the disaster events most likely to occur which could cause damage to this project type are flooding and high winds. Because the exact location of the site is yet to be determined the actual risk posed by flooding can't be determined. A variety of factors will need to be considered as part of site selection and/or will need to be accounted for after a site is located, especially if there are limited sites available, developable or cost reasonableness. Some of the factors requiring consideration regarding potential flood risks are:

- Geographic location of the site.
- Location of local waterways.
- Location relative to local floodplains.
- Quality, capacity and condition of stormwater management systems.
- Local topography.

The other significant hazard risk is high winds and tornados such as those that struck other parts of the state during the disaster.

The County can't yet precisely identify the measures that will be taken to reduce risks posed by hazards since many factors such a site location, site design and costs will dictate the final measures which need to be and/or can be taken. At a minimum the County would like to utilize the following measures to help reduce risk:

- Either locate the facility in an area not at risk of flooding or elevate the facility so as to avoid flood risk.
- Include structural strengthening or other design features to withstand high winds.
- Include a communal tornado safe room.
- Provide on-site generator.

The County can't yet estimate the benefits of the measures since many factors such as site location, site design and costs will dictate the final measures which need to be and/or can be taken. At a minimum the County would like to provide a minimum of 24 affordable rental units that will accomplish the following:

- Either not be located in a flood threatened area or will be elevated so as to avoid flood risk for all residential dwelling units.
- Include structural strengthening or other design features that will withstand winds of up to 100mph.
- Include a communal tornado safe room, preferably below grade, where residents can safely and quickly seek shelter during a tornado.
- Provide on-site generator to reduce financial, psychological and other impacts suffered when persons become displaced due to the lack of electricity for critical needs. This will also help reduce the risk of loss of human life as the availability of electricity for; the refrigeration of medication and food, climate control (HVAC), and heat for cooking will remain available.

Leveraging Funds. MDHA anticipates leveraging CDBG-DR funds with...

Leveraging Funds.

There is a possibility that CDBG-DR funds could be leveraged with other affordable housing subsidies such as HOME, HOME ARP, Barnes Trust funds, LIHTC and State Housing Trust funds. Additionally, the developer for the project may also provide other forms of subsidy yet to be identified.

Program Partners.

MDHA also procured a consultant to assist in the development of the County's CDBG-DR/MIT Action Plan. The County worked in partnership with the consultant to perform the following:

- Identify and record disaster impacts and recovery efforts.
- Conduct the disaster recovery and mitigation needs analyses
- Assist in public outreach.

MDHA will engage a Multi-Family Housing Developer to provide the rental housing through the procurement process.

Distribution of Funds.

In accordance with FRN 31636, II.C. and the greatest unmet needs of the MID, MDHA has elected to use the entire allocation of \$8,518,000 to develop LMI rental housing in order to address the acute shortage of affordable housing in the 37211 ZIP Code, which is the MID. At least 70% of the funds will benefit LMI residents.

At this time, MDHA intends to award the funds to one or more developers for the production of affordable rental housing. The project or projects may be new or existing units to be rehabilitated. The award will be \$7,666,200, less planning and administration, although the successful developer or developers may be allocated planning funds. The award will include mitigation activities, which will be incorporated into the housing projects. The duration of the affordability period has not been determined but will be no less than 20 years. The developer or developers may be non-profit or for-profit organizations, depending on the type of housing identified as best fitting the needs and the conditions of the MID.

The tie back to the storm is the impact of flooding on the housing stock within 37211, the death of homeless persons as a direct result of the flooding, and the destruction of a homeless encampment.

FRN 31636, II. C. allows MDHA to allocate the entire award for LMI rental housing based on the clear need for affordable housing in Nashville/Davidson County, flood damage to housing within the MID, and the amount of the award (under \$20,000,000).

MDHA will follow adopted procurement policies for the award and delivery of the CDBG DR funding.

Program Income.

Program Income are earnings realized from CDGB-DR supported activities and may include such items as loan repayments, rent received, proceeds from sale of property, and lien repayments. The County does not anticipate earning any program income from this project.

MDHA will comply with HUD requirements found in 24 CFR 570.489.

Program income that is generated from any CDBG-DR activity may be used for additional disaster-related activities until grant-closeout. At grant close-out, any program income on hand or received subsequently will become program income to the annual CDBG program. Program Income will be receipted and reported monthly and will be used for eligible activities before any CDBG-DR funds are drawn from LOCC. All activity expenditures will be reviewed against those expenditures and outcomes included in the action plan and for those not moving on target or those that appear to be stalled, County staff will take immediate steps to reprogram funds to activities that can move in a timely manner.

Resale or Recapture.

Resale or recapture of funds expended on activities funded through CDBG DR will be in accordance with Federal guidelines and the applicable Federal register. Housing projects funded with Federal CDBG DR resources must maintain a minimum affordability period of not less than 20 years.

b. Program Details.

Program Description

The proposed activity is the construction of 24 units of affordable housing in the MID, or in close proximity to the MID.

Program Tieback to Disaster/Unmet Needs

The tieback to the disaster is the creation of LMI housing for the residents of the MID, which has historically high demand for affordable rental housing. The Federal Register allows grantees receiving less than \$20 million in CDBG DR funds to address unmet affordable housing needs caused or exacerbated by the disaster. FEMA Disaster 4601 damaged rental housing and exacerbated the need for additional affordable units.

How Program will Promote Housing for Vulnerable Populations

MDHA is committed to serving vulnerable populations and protected classes. When the new affordable housing is constructed, MDHA will strive to provide outreach to affected groups through public outreach to ensure that all protected classes and vulnerable populations are aware of the opportunity for housing, according to eligibility. MDHA will work with local non-profits that serve vulnerable citizens and protected classes within the MID to ensure these groups are aware of the housing opportunities. Beneficiaries may be prioritized based on factors such as age or disability, but this has not yet been decided and the decision will be made based on the planning activity conclusions.

Program Affordability Period (if applicable)

The affordability period will be no less than 20 years. The enforcement mechanism will be a part of the developer's agreement, and will be secured with a restricted covenant and contractual language.

Program Definition of Second Home/Eligibility

Second homes are ineligible under this program. The rental units will be for primary residences only.

Program National Objective(s)

The national objective is benefit to LMI people.

Program Eligibility

Residents who earn less than 80 percent of AMI will be eligible to rent the units. The development may include non-LMI rentals as well, however all CDBG funds will be used for the LMI portion of the development.

Program Responsible Entity

MDHA is the responsible entity.

Program Maximum Assistance

The program will provide LMI persons with affordable housing according to rental limits so that the rent does not exceed 30 percent of the tenant's income, or lower depending on the final structure of the development.

Program Estimated Begin and End Dates

It is estimated that the program will begin on October of 2023 and conclude on January of 2027.

Other Program Details

The program will plan for an affordable rental development within the MID, or adjacent area, with approval of a substantial amendment to the Action Plan by HUD. MDHA will seek a developer to create the development, which may also include market rate units. A minimum of 24 units of affordable housing will be created.

Program Competitive Application Overview (if applicable)

The program will use planning funds to issue an RFP to select a developer(s) to identify the type and probable location of the affordable rental housing development. The most qualified developer will be selected according to the selection criteria, which are not yet established.

Program Method of Distribution Description/Overview (if applicable)

The program will distribute funds to the planning and development firms selected to build the project.

How Mitigation Set-Aside Activities will Meet Definition of Mitigation? (If Applicable)

The affordable housing project will incorporate mitigation factors such as hardened windows, dual purpose rooms which may be used for shelter, strengthened roofing material, and other factors depending on the location of the development. Other factors may include additional elevation, back-up generators, and other eligible mitigation activities.

How Mitigation Set-Aside Activities will Address Current & Future Risks? (If Applicable)

Construction of the project will account for one or more of the following HMP risks:

- | | |
|------------------------------|--------------------------------|
| · Flooding | · Drought |
| · Tornado | · Wildfire |
| · Extreme Temperature -Heat | · Riverine Flood |
| · Extreme Temperature – Cold | · Hazardous Materials Incident |
| · Thunderstorm | · Communicable Diseases |

- Landslide/Sinkhole
- Dam & Levee Failure
- Manmade – Technological/Terrorism
- Earthquake

Affordable Rental Housing

Grant Type	Grant Number	Proposed Budget	Proposed HUD-Identified MID Budget	Proposed Grantee-Identified MID Budget
Parent	P-21-ND-47-LDZ1	\$8,518,000.00	\$8,518,000.00	\$0.00
Child	B-21-MF-47-0002	\$5,151,000.00	\$5,151,000.00	\$0.00
Child	B-22-MF-47-0002	\$3,367,000.00	\$3,367,000.00	\$0.00

Narratives

• Program Description

The U.S. Department of Housing and Urban Development (HUD) announced in the spring of 2022 that Nashville-Davidson County (County) will receive \$5,151,000 in funding to support long-term recovery efforts following disaster declaration 4601-DR-TN through the Metropolitan Development and Housing Agency (MDHA). The County also received a supplemental allocation of \$3,367,000 for the same disaster event as announced by HUD on November 3, 2022. These supplemental funds are accounted for in the Action Plan bringing the total CDBG-DR amount allocation to \$8,518,000. The Federal Register notices for both allocations, 87 FR 31636 and 88 FR 3198, specify that 100% of the funding allocation must be spent in the Most Impacted and Distressed area. Both Federal Registers indicate this area to be Nashville-Davidson, however, HUD provided a memorandum to the County, dated March 2022, which indicated in Table A-3a on page 15 of the memorandum that the MID was ZIP Code 37211. MDHA nor the County in general identified any other MID qualified zones.

Community Development Block Grant- Disaster Recovery (CDBG-DR) funding is designed to address needs that remain after all other assistance has been exhausted. This plan details how funds will be allocated to address remaining unmet need in Nashville-Davidson County, Tennessee.

To meet disaster recovery needs, the statutes making CDBG-DR funds available have imposed additional requirements and authorized HUD to modify the rules that apply to the annual CDBG program to enhance flexibility and allow for a quicker recovery. HUD has allocated \$5,151,000 and an additional \$3,367,000 in CDBG-DR funds to Nashville-Davidson County in response to severe storms, tornadoes and flooding, 4601-DR-TN, through the publication of two Federal Register notices, Volume 87, No. 100 on May 24,

2022 and Volume 8, No. 11 on January 18, 2023. This allocation was made available through the Appropriations Act (Public Laws 117-43 and 117-180).

The intended use of the funding is to develop additional rental housing for low income residents impacted by housing affordability within the MID, ZIP Code 37211. It is estimated the funding will create approximately 24 units, and all of the mitigation measures will be incorporated into the rental housing development.

- **Program Tieback to Disaster/Unmet Needs**

As required by the Federal Register notices, Volume 87, No. 100 on May 24, 2022 and Volume 8, No. 11 on January 18, 2023, Nashville-Davidson County will allocate 100% percent of the funds to address unmet needs with HUD-identified “most impacted and distressed” areas. The allocation will be used to address unmet needs related to the flooding that occurred during the presidential major disaster declaration 4601-DR-TN.

- This action plan primarily considers and addresses the impacts, damages and loss of housing during the 4601-DR-TN disaster event. The information provided by FEMA, SBA and OEM all indicated that residential properties were the most significantly impacted. Information provided by OEM, and provided through interviews with local VOADs, also indicated that rental housing units were substantially impacted and resulted in the significant displacement of families requiring rehousing services.

Information provided by FEMA indicated that they collected information on 387 residential properties but only confirmed 128 (33%) as sustaining verified real property loss. However, the County believes this number is woefully short of actual need since OEM data recorded flooding at more than 400 residential properties containing over 1,500 residential units. While the SBA Disaster Loan Database for the DR-4601 contained minimal information, it did support the fact that a majority of the properties impacted by flooding were residential with three times the number of properties being residential as opposed to commercial businesses.

The County also seeks to undertake and affordable housing project due to language provided in the Federal Register (87 FR 31636) Part II.C permitting smaller CDBG-DR funding recipients to “*propose a **disproportional allocation** when the grantee is allocating funds to **address unmet affordable rental housing needs caused by or exacerbated by the disaster(s).***”

Per 87 FR 31636 and 88 FR 3198 Part II.C

*HUD recognizes that grantees receiving a relatively small allocation of funds for 2021 disasters in this notice may most effectively advance recovery by more narrowly targeting these limited recovery and mitigation resources. Accordingly, for grantees receiving an allocation of less than \$20 million for 2021 disaster(s) in this notice, **HUD will consider the small size of the grant and HUD’s allocation methodology as acceptable***

justification for a grantee to propose a disproportional allocation when the grantee is allocating funds to **address unmet affordable rental housing needs caused by or exacerbated by the disaster(s)**. Grantees exercising this option must continue to comply with the applicable requirements of this notice and the Consolidated Notice, including the CDBG–DR mitigation set-aside requirement in section IV.A.4 (IV.A.2). of this notice.

The County wishes to further its case regarding the critical need for affordable housing within the County by citing the ongoing need identified in a variety of documents and other resources maintained by the County. The top priority identified in the County’s 2018-2023 5-Year Consolidated Plan was; the need for new, decent, and safe affordable housing and, the provision of assistance to help low- and moderate-income households access affordable housing. Additionally, the County’s HOME-ARP Allocation Plan documented that MDHA identified the following primary need when consulted for HOME-ARP:

Unit creation – affordable and supportive housing, is the primary need in the County. Geographic dispersion and choice of location is also needed. The voucher program has been challenged to secure units in the current housing market as landlords have little incentives to participate in public subsidy programs, and Fair Market Rents aren’t keeping up with rapidly rising rents.

Lastly, as was noted earlier, the issue has become so significant that two substantial efforts have been undertaken in recent years (2021) to analyze the affordable and supportive housing needs of the area. These included the Continuum of Care (CoC) driven needs assessment and Mayor Cooper’s Affordable Housing Task Force’s report.

- *At least 70 percent of all program funds will benefit LMI persons or households.* Due to the nature of the project, all units constructed in the affordable housing development project will be made available to LMI households for the life of the project’s 20-year affordability period.

- **How Program will Promote Housing for Vulnerable Populations**

The program will create at least 24 units of affordable rental housing. MDHA will provide extensive outreach to the impacted members of the MID to notify them of the availability of housing opportunities. MDHA will work in conjunction with local non-profits that serve MID vulnerable populations, including the homeless and Hispanic population.

The program will only offer affordable rental housing to legal residents of the MID.

- **Program Affordability Period (if applicable)**

The affordable rental housing development will have an affordability period of at least 20 years.

- **Program Definition of Second Home/Eligibility**

The program will develop affordable rental housing. As such, second homes or homeownership activities will not be undertaken.

- **Program National Objective(s)**

The national objective is benefit to low and moderate income (LMI) households.

- **Program Eligibility**

Under the provisions of FR-6326-N-01 and FR-6368-N-01, the construction or rehabilitation of affordable rental housing is an eligible activity. This program intends to create 24 units of affordable rental housing.

- **Program Responsible Entity**

Metropolitan and Development Housing Authority (MDHA) of Nashville/Davidson County.

- **Program Maximum Assistance**

The program will create at least 24 affordable rental housing units. Individual tenants will not receive direct program assistance. Affordable rents will be based on the tenant's income and fair market rents as established by HUD guidelines for the Nashville metropolitan area.

- **Program Estimated Begin and End Dates**

The program will commence in the Fall of 2023 and closeout in 2027.

- **Other Program Details**

The program will only create affordable rental units. No other activities are anticipated.

- **Program Competitive Application Overview (if applicable)**

MDHA will issue an RFP for developers to create the affordable rental housing. The developer may be for-profit, non-profit or a combination of both.

- **Program Method of Distribution Description/Overview (if applicable)**

The funds will be distributed to the developer upon the completion of milestones per the developer's agreement, which has not yet been written.

- **How Mitigation Set-Aside Activities will Meet Definition of Mitigation? (If Applicable)**

The development of the 24 affordable rental units will incorporate mitigation measures into the building. The exact nature of the mitigation elements is as yet unknown, but it will include components such as impact windows, enhanced drainage, flood protection measures, and structural hardening to withstand the impacts of inclement weather.

- **How Mitigation Set-Aside Activities will Address Current & Future Risks? (If Applicable)**

This project does not anticipate mitigation set-aside activities. Mitigation elements will be constructed as part of the 24 units of affordable rental housing.

Projection of Expenditures

Period	Quarterly Projection	Quarterly Actual	Cumulative Projection	Cumulative Actual
10/01/2023	\$50,000.00		\$50,000.00	
10/01/2023	\$50,000.00		\$50,000.00	
01/01/2024	\$50,000.00		\$100,000.00	
01/01/2024	\$50,000.00		\$100,000.00	
04/01/2024	\$50,000.00		\$150,000.00	
04/01/2024	\$50,000.00		\$150,000.00	
07/01/2024	\$50,000.00		\$200,000.00	
07/01/2024	\$50,000.00		\$200,000.00	
10/01/2024	\$250,000.00		\$450,000.00	
10/01/2024	\$250,000.00		\$450,000.00	
01/01/2025	\$250,000.00		\$700,000.00	
01/01/2025	\$250,000.00		\$700,000.00	
04/01/2025	\$500,000.00		\$1,200,000.00	
04/01/2025	\$500,000.00		\$1,200,000.00	
07/01/2025	\$500,000.00		\$1,700,000.00	
07/01/2025	\$500,000.00		\$1,700,000.00	
10/01/2025	\$500,000.00		\$2,200,000.00	
10/01/2025	\$500,000.00		\$2,200,000.00	
01/01/2026	\$750,000.00		\$2,950,000.00	
01/01/2026	\$750,000.00		\$2,950,000.00	
04/01/2026	\$80,300.00		\$3,030,300.00	
04/01/2026	\$750,000.00		\$3,700,000.00	
07/01/2026	\$851,800.00		\$3,882,100.00	
07/01/2026	\$935,900.00		\$4,635,900.00	
10/01/2026	\$0.00		\$4,635,900.00	

Period	Quarterly Projection	Quarterly Actual	Cumulative Projection	Cumulative Actual
10/01/2026	\$0.00		\$3,882,100.00	
01/01/2027	\$0.00		\$3,882,100.00	
01/01/2027	\$0.00		\$4,635,900.00	

Projection of Outcomes

Period	Performance Measure	Quarterly Projection	Quarterly Actual	Cumulative Projection	Cumulative Actual
10/01/2023	# affordable housing units	0	0	0	0
10/01/2023	# affordable housing units	0	0	0	0
01/01/2024	# affordable housing units	0	0	0	0
01/01/2024	# affordable housing units	0	0	0	0
04/01/2024	# affordable housing units	0	0	0	0
04/01/2024	# affordable housing units	0	0	0	0
07/01/2024	# affordable housing units	0	0	0	0
07/01/2024	# affordable housing units	0	0	0	0
10/01/2024	# affordable housing units	0	0	0	0
10/01/2024	# affordable housing units	0	0	0	0
01/01/2025	# affordable housing units	0	0	0	0
01/01/2025	# affordable housing units	0	0	0	0
04/01/2025	# affordable housing units	0	0	0	0
04/01/2025	# affordable housing units	0	0	0	0
07/01/2025	# affordable housing units	0	0	0	0
07/01/2025	# affordable housing units	0	0	0	0

Period	Performance Measure	Quarterly Projection	Quarterly Actual	Cumulative Projection	Cumulative Actual
10/01/2025	# affordable housing units	0	0	0	0
10/01/2025	# affordable housing units	0	0	0	0
01/01/2026	# affordable housing units	0	0	0	0
01/01/2026	# affordable housing units	0	0	0	0
04/01/2026	# affordable housing units	0	0	0	0
04/01/2026	# affordable housing units	0	0	0	0
07/01/2026	# affordable housing units	0	0	0	0
07/01/2026	# affordable housing units	0	0	0	0
10/01/2026	# affordable housing units	0	0	0	0
10/01/2026	# affordable housing units	0	0	0	0
01/01/2027	# affordable housing units	24	0	24	0
01/01/2027	# affordable housing units	24	0	24	0

5. Appendix

Certifications.

- a. The grantee certifies that it has in effect and is following a residential anti-displacement and relocation assistance plan (RARAP) in connection with any activity assisted with CDBG–DR grant funds that fulfills the requirements of Section 104(d), 24 CFR part 42, and 24 CFR part 570, as amended by waivers and alternative requirements.
- b. The grantee certifies its compliance with restrictions on lobbying required by 24 CFR part 87, together with disclosure forms, if required by part 87.
- c. The grantee certifies that the action plan for disaster recovery is authorized under state and local law (as applicable) and that the grantee, and any entity or entities designated by the grantee, and any contractor, subrecipient, or designated public agency carrying out an activity with CDBG–DR funds, possess(es) the legal authority to carry out the program for which it is seeking funding, in accordance with applicable HUD regulations as modified by waivers and alternative requirements.
- d. The grantee certifies that activities to be undertaken with CDBG–DR funds are consistent with its action plan.
- e. The grantee certifies that it will comply with the acquisition and relocation requirements of the URA, as amended, and implementing regulations at 49 CFR part 24, as such requirements may be modified by waivers or alternative requirements.
- f. The grantee certifies that it will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and implementing regulations at 24 CFR part 75.
- g. The grantee certifies that it is following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.115 or 91.105 (except as provided for in waivers and alternative requirements). Also, each local government receiving assistance from a state grantee must follow a detailed citizen participation plan that satisfies the requirements of 24 CFR 570.486 (except as provided for in waivers and alternative requirements).
- h. State grantee certifies that it has consulted with all disaster-affected local governments (including any CDBG entitlement grantees), Indian tribes, and any local public housing authorities in determining the use of funds, including the method of distribution of funding, or activities carried out directly by the state.
- i. The grantee certifies that it is complying with each of the following criteria:
 1. Funds will be used solely for necessary expenses related to disaster relief, long-term recovery, restoration of infrastructure and housing, economic revitalization, and mitigation in the most impacted and distressed areas for which the President declared a major disaster pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1974 (42 U.S.C. 5121 et seq.).
 2. With respect to activities expected to be assisted with CDBG–DR funds, the action plan has been developed so as to give the maximum feasible priority to activities that will benefit low- and moderate-income families.
 3. The aggregate use of CDBG–DR funds shall principally benefit low- and moderate income families in a manner that ensures that at least 70 percent (or

another percentage permitted by HUD in a waiver) of the grant amount is expended for activities that benefit such persons.

4. The grantee will not attempt to recover any capital costs of public improvements assisted with CDBG–DR grant funds, by assessing any amount against properties owned and occupied by persons of low- and moderate-income, including any fee charged or assessment made as a condition of obtaining access to such public improvements, unless:
 - a. Disaster recovery grant funds are used to pay the proportion of such fee or assessment that relates to the capital costs of such public improvements that are financed from revenue sources other than under this title; or
 - b. for purposes of assessing any amount against properties owned and occupied by persons of moderate income, the grantee certifies to the Secretary that it lacks sufficient CDBG funds (in any form) to comply with the requirements of clause (a).
- j. State and local government grantees certify that the grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), the Fair Housing Act (42 U.S.C. 3601–3619), and implementing regulations, and that it will affirmatively further fair housing. An Indian tribe grantee certifies that the grant will be conducted and administered in conformity with the Indian Civil Rights Act.
- k. The grantee certifies that it has adopted and is enforcing the following policies, and, in addition, state grantees must certify that they will require local governments that receive their grant funds to certify that they have adopted and are enforcing: (1) A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations; and (2) A policy of enforcing applicable state and local laws against physically barring entrance to or exit from a facility or location that is the subject of such nonviolent civil rights demonstrations within its jurisdiction.
- l. The grantee certifies that it (and any subrecipient or administering entity) currently has or will develop and maintain the capacity to carry out disaster recovery activities in a timely manner and that the grantee has reviewed the requirements applicable to the use of grant funds.
- m. The grantee certifies to the accuracy of its Financial Management and Grant Compliance Certification Requirements, or other recent certification submission, if approved by HUD, and related supporting documentation as provided in section III.A.1. of the Consolidated Notice and the grantee’s implementation plan and related submissions to HUD as provided in section III.A.2. of the Consolidated Notice.
- n. The grantee certifies that it will not use CDBG–DR funds for any activity in an area identified as flood prone for land use or hazard mitigation planning purposes by the state, local, or tribal government or delineated as a Special Flood Hazard Area (or 100-year floodplain) in FEMA’s most current flood advisory maps, unless it also ensures that the action is designed or modified to minimize harm to or within the floodplain, in accordance with Executive Order 11988 and 24 CFR part 55. The relevant data source for this provision is the state, local, and tribal government land use regulations and hazard mitigation plans and the latest-issued FEMA data or guidance, which includes advisory data (such as Advisory Base Flood Elevations) or preliminary and final Flood Insurance Rate Maps.

- o. The grantee certifies that its activities concerning lead-based paint will comply with the requirements of 24 CFR part 35, subparts A, B, J, K, and R.
- p. The grantee certifies that it will comply with environmental requirements at 24 CFR part 58.
- q. The grantee certifies that it will comply with the provisions of title I of the HCDA and with other applicable laws.

Warning: Any person who knowingly makes a false claim or statement to HUD may be subject to civil or criminal penalties under 18 U.S.C. 287, 1001, and 31 U.S.C. 3729.

The complete certifications page is uploaded as a document in the Documents section. The signature page is below.

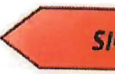
- q. The grantee certifies that it will comply with the provisions of title I of the HCDA and with other applicable laws.

Warning: Any person who knowingly makes a false claim or statement to HUD may be subject to civil or criminal penalties under 18 U.S.C. 287, 1001, and 31 U.S.C. 3729.

A handwritten signature in black ink, appearing to read "John Cooper", is written over a horizontal line.

John Cooper, Mayor

Metropolitan Government of Nashville-Davidson County



b. Waivers (if applicable).

NA

c. Summary and Response of Public Comments. The following provides a summary of public comments received for the CDBG- Disaster Recovery Action Plan in response to the Disaster event during the public comment period of January 25, 2023 through February 25, 2023, and again from July 19, 2023 through August 19, 2023. MDHA received a total of 1 number of comments during the two 30-calendar days public comment periods.

Attachment of full public comment

PUBLIC COMMENT

No public comments have been received for the second public comment period, which expired on August 19, 2023 at 4 pm.

Earlier public comments for the initial public comment period from January 25, 2023 through February 25, 2023 were as follows:

From: Kenneth Patterson To: Consolidated Plan Subject: Public Comment Request Date: Friday, January 27, 2023 8:02:48 AM Attachments: Outlook-commit Outlook-1q20cumf.png
*****WARNING*****EXTERNAL EMAIL***** DO NOT CLICK links or attachments unless you recognize the sender or know the content is safe.

I Simply want to say that any funding process via MDHA is not friendly in a diverse manner , everyone cannot apply for the RFP's equally it is set up for large developers to win ! I'd LOVE to see some real community involvement in attaining funds to be able to also BUILD in our own communities . I struggle with the fact of very visible privatization of MDHA can we get real help with Section 3 programs ? Do you know when mentioned at a community meeting the " people " had no idea this existed at all it has been available in Nashville for over 50 years no one knows about it ,why ? (I was speaking at UVA & I guess accidentally stumbled upon it !) As a Hybrid Non Profit our organization Vision Heirs INC. & Innovative JOBS Solutions would LOVE a role at implementing something for the PEOPLE the funding can be found to make it happen because the money is found to do anything else WE as a community at large NEED self sustainability ! We have a Blueprint PLEASE tap us into our own community as a Section3 firm How do we go about getting funded to create others that can benefit form this program ?

Signed ,

Mrs. Kenneth " The Homeless CEO " Patterson Website : www.visionheirsinc.org Email : KennethaPatterson@visionheirsinc.onmicrosoft.com

RESPONSE TO PUBLIC COMMENT

Thank you for providing input on the CDBG-DR Action Plan.

MDHA's utilizes a request for applications (RFA) process to allocate funding for our housing development programs. We encourage prospective applicants to attend the pre-application meeting for each RFA. During the pre-application meeting, prospective applicants can learn more about RFA guidelines and how to submit an eligible application to MDHA for funding. The pre-application meeting date is included in each RFA.

Section 3 is a provision of the Housing and Urban Development Act of 1968 that helps foster local economic development, neighborhood economic improvement and individual self-sufficiency.

MDHA adheres to Section 3 guidelines where applicable. Please visit the following link to learn more: <http://www.nashville-mdha.org/section-3-empoyment-contracting/>

If you have additional questions about MDHA's Section 3 program, please contact Tina Meador, Contracting Specialist at tmeador@Nashville-MDHA.org

Emel J Alexander

Director of Community Development | MDHA

Phone: 615-252-8507

Mobile: 629-258-1990

Email: Ealexander@nashville-mdha.org

d. Data Sources/Methodologies.

Owner Occupied Households:

- Minor-Low:
 - Less than \$3,000 of FEMA inspected real property damage
- Minor-High:
 - \$3,000 to \$7,999 of FEMA inspected real property damage
- Major-Low:
 - \$8,000 to \$14,999 of FEMA inspected real property damage
- Major-High:
 - \$15,000 to \$28,800 of FEMA inspected real property damage
- Severe:
 - Greater than \$28,800 of FEMA inspected real property damage

Renter Occupied Households:

- Minor-Low:
 - Less than \$1,000 of FEMA inspected personal property damage
- Minor-High:
 - \$1,000 to \$1,999 of FEMA inspected personal property damage
- Major-Low:
 - \$3,500 to \$4,999 of FEMA inspected personal property damage
- Major-High:
 - \$5,000 to \$8,999 of FEMA inspected personal property damage
- Severe:
 - Greater than \$9,000 of FEMA inspected personal property damage

Data sources include the following:

City of Nashville and Davidson County

MDHA

Affordable Housing Task Force Report 2021

FEMA

SBA

Nashville Office of Emergency Management (OEM)

2020 Census ACS 5-Year Estimates

HUD

e. Important Definitions and Terms.

AMI: Area Median Income

CBDO: Community Based Development Organization

CDBG: Community Development Block Grant

CDBG-DR: Community Development Block Grant- Disaster Recovery

CFR: Code of Federal Regulations

CO: Certifying Officer

CP: Participation

DOB: Duplication of Benefits

DRGR: Disaster Recovery and Grant Reporting System

FEMA: Federal Emergency Management Agency

HCD Act: Housing and Community Development Act of 1974, as amended

HMGP: Hazard Mitigation Grant Program

IA: (FEMA) Individual Assistance

LIHTC: Low-Income Housing Tax Credit

LMI: Low and moderate-income

NFIP: National Flood Insurance Program

PA: (FEMA) Public Assistance

RE: Responsible Entity

RFP: Request for Proposals

SBA: U.S. Small Business Administration

SFHA: Special Flood Hazard Area

UGLG: Unit of general local government

URA: Uniform Relocation Assistance and Real Property Acquisition Act of 1970, as amended

USACE: U.S. Army Corps of Engineers

f. Standard Form 424.

The complete form is uploaded as a Document in the Documents section. The signature page is below:

Application for Federal Assistance SF-424

16. Congressional Districts Of:

* a. Applicant

* b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

17. Proposed Project:

* a. Start Date:

* b. End Date:

18. Estimated Funding (\$):

* a. Federal	<input type="text" value="8,518,000.00"/>
* b. Applicant	<input type="text"/>
* c. State	<input type="text"/>
* d. Local	<input type="text"/>
* e. Other	<input type="text"/>
* f. Program Income	<input type="text"/>
* g. TOTAL	<input type="text" value="8,518,000.00"/>

* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?

☐ a. This application was made available to the State under the Executive Order 12372 Process for review on

☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.

☒ c. Program is not covered by E.O. 12372.

* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)

☐ Yes ☒ No

If "Yes", provide explanation and attach

Add Attachment

Delete Attachment

View Attachment

21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 18, Section 1001)

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix:

* First Name:

Middle Name:

* Last Name:

Suffix:

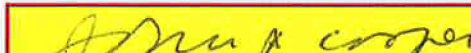
* Title:

* Telephone Number:

Fax Number:

* Email:

* Signature of Authorized Representative:



* Date Signed:

