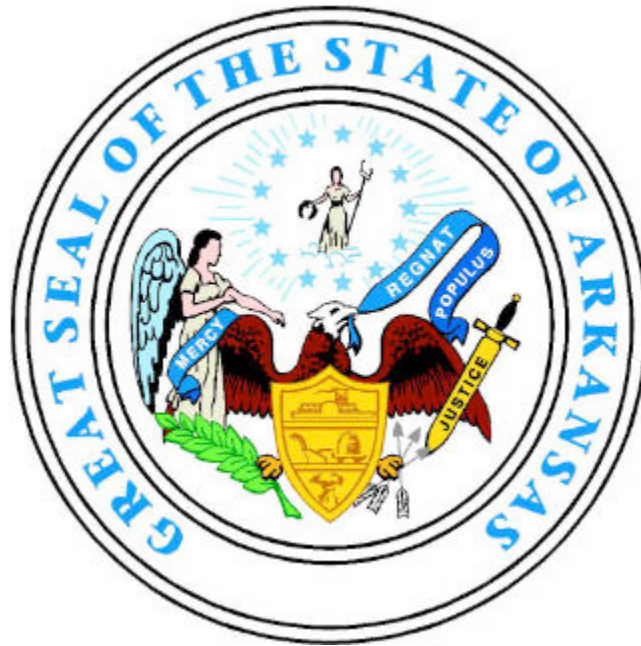


STATE OF ARKANSAS ACTION PLAN FOR DISASTER RECOVERY



Utilizing Supplemental CDBG Disaster Recovery Funding from the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009 (Public Law 110-329), 2008

Through the U.S. Department of Housing and Urban Development
Docket No. FR-5256-N-01 [Federal Register: February 13, 2009 (Volume 74,
Number 29)]

Second Appropriation: \$20,294,857

Arkansas Economic Development Commission
April 2009

Arkansas Action Plan for Disaster Recovery

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Arkansas Action Plan for Disaster Recovery

I. Introduction

The State of Arkansas is required to publish an Action Plan for Disaster Recovery that describes the proposed use of \$20,294,857 in supplemental U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) funds appropriated under the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009 (Public Law 110-329). Such funds are available to eligible counties to fulfill unmet needs arising from severe storms, tornadoes, and flooding that occurred throughout Arkansas during 2008. Counties eligible for assistance under this appropriation are those identified in Presidential Disaster Areas: FEMA #1744; FEMA #1751; FEMA #1793; and, FEMA #1804 (See Appendix A).

This Action Plan will describe:

- The effects of the disasters and Arkansas's recovery needs
- Activities for which funding may be used
- Promotion of short- and long-term recovery planning
- Encouragement of durable, high-quality, energy efficient, and mold resistant construction methods
- Methodology used to distribute funds
- The public participation process
- Monitoring standards
- Steps to prevent fraud, abuse of funds, mismanagement, and duplication of benefits
- Amending the Action Plan

II. The Effects of the Disasters and Arkansas's Recovery Needs

A. Areas Affected by the Disasters

Throughout 2008, the State of Arkansas was devastated by a series of tornadoes, floods and severe storms that inflicted serious damage to a significant portion of the state. (See Appendix B) In addition to the loss of life and serious injuries that resulted from these natural disasters, damage estimates to public and private buildings and infrastructure soared into the millions of dollars.

Despite assistance from the Federal Emergency Management Agency (FEMA), the Economic Development Administration (EDA), the Small Business Administration (SBA), insurance companies and public and private benefactors, many areas of Arkansas remain financially stressed due to rebuilding costs and income loss resulting from business disruptions.

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The massive scope of damage from these disasters prompted President Bush to issue multiple disaster declarations. Counties identified in four of these declarations are eligible for assistance appropriated under PL 110-329, the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009.

Table 1

Arkansas Counties Under Disaster Declarations Eligible for PL 110-329, 2008 Assistance

Incident Period	Disaster Number	Declaration Date	Number of Counties Affected*
February 5, 2008	FEMA #1744	February 7, 2008	12
March 18 - April 28, 2008	FEMA #1751	March 26, 2008	59
September 2 - September 8, 2008	FEMA #1793	September 18, 2008	18
September 13 - September 23, 2008	FEMA #1804	October 22, 2008	20

*Maps of affected counties are included in Attachment A to the Action Plan.

1. FEMA Disaster #1744

On February 7, 2008, President Bush issued a Presidential Disaster Declaration for Arkansas counties damaged by tornadoes and flooding from storms that hit the state on February 5th. The following 12 counties were included in the declaration: Baxter, Conway, Independence, Izard, Marion, Newton, Pope, Randolph, Sharp, Stone, Union, and Van Buren.

2. FEMA Disaster #1751

On March 18, 2008, President Bush issued a Presidential Disaster Declaration for Arkansas counties damaged by tornadoes and flooding from storms that hit the state beginning March 18th. The following 59 counties were included in the disaster declaration: Arkansas, Baxter, Benton, Boone, Calhoun, Carroll, Clay, Clark, Conway, Craighead, Cleburne, Crawford, Cross, Desha, Faulkner, Franklin, Fulton, Garland, Greene, Hempstead, Hot Spring, Howard, Independence, Izard, Jackson, Jefferson, Johnson, Lawrence, Lee, Little River, Logan, Lonoke, Madison, Marion, Miller, Mississippi, Monroe, Nevada, Newton, Perry, Phillips, Pike, Poinsett, Pope, Prairie, Pulaski, Randolph, Saline, Scott, Searcy, Sebastian, Sharp, St. Francis, Stone, Van Buren, Washington, White, Woodruff, and Yell.

3. FEMA Disaster #1793

On September 18, 2008, President Bush issued a Presidential Disaster Declaration for Arkansas counties affected by severe storms and flooding from Hurricane Gustav beginning September 2nd. The following 18 counties were included in the disaster declaration: Ashley, Bradley,

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Calhoun, Chicot, Clark, Cleveland, Conway, Dallas, Drew, Garland, Grant, Hot Spring, Lincoln, Montgomery, Perry, Prairie, Saline, and Van Buren.

4. FEMA Disaster #1804

On October 22, 2008, President Bush issued a Presidential Disaster Declaration for Arkansas counties affected by severe storms and flooding from Hurricane Ike beginning September 13th. The following 20 counties were included in the disaster declaration: Carroll, Clark, Clay, Craighead, Greene, Hempstead, Howard, Izard, Lafayette, Lawrence, Little River, Madison, Miller, Montgomery, Nevada, Newton, Pike, Randolph, Sharp, and Van Buren.

B. Federal and State Disaster Responses

To effectuate disaster relief, long-term recovery, and restoration of infrastructure, housing, and economic revitalization in areas affected by hurricanes, flooding and other natural disasters, Congress passed the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009 to help states fund unmet needs resulting from these disasters. On November 26, 2008, HUD announced the release of \$20,294,857 to the State of Arkansas to address needs in counties included in President Disaster Areas # 1744, #1751, #1793 and # 1804.

C. Ongoing Damage Assessment

Assessing the total financial needs of the state resulting from the disasters is a difficult and ongoing process. To determine the extent of damages in each county, the Arkansas Economic Development Commission (AEDC) received from the Arkansas Department of Emergency Management (ADEM) FEMA data, estimating the extent of public damages in each county by disaster. In addition, the AEDC solicited community and county damage information from each of the state's eight Planning and Economic Development Districts ("Districts") (See Appendix C).

In estimating the need for CDBG assistance in the affected counties, the AEDC will rely upon information supplied by FEMA, ADEM, and the mayors and county judges of Arkansas in conjunction with each district. Since the full extent of the state's needs cannot be determined at this time, the initial Action Plan will only outline the major categories for funding with estimated dollar amounts set aside for each District. Set aside amounts may be adjusted in amendments to the Action Plan should more accurate information become available.

III. Activities for Which Funding May be Used

On February 13, 2009, the Federal Register published specific requirements regarding the utilization of appropriations provided under PL 110-329. In particular, appropriations must be used for necessary expenses related to disaster relief, long-term recovery, and restoration of infrastructure, housing, and economic revitalization in areas affected by hurricanes, flooding and other natural disasters. In addition to meeting one of three national objectives, applicants for funding must achieve one of four specific purposes.

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Table 2
National Objectives and Purposes

National Objective	Purpose
➤ Provide benefit for Low to Moderate Income (LMI) persons	➤ Disaster Relief
➤ Address an imminent threat to the health and welfare of the community	➤ Restoration of Infrastructure
➤ Eliminate slum or blight conditions	➤ Long Term Disaster Recovery
	➤ Administration

1. Disaster Relief

This category will be used to fund projects that are related to the short term and immediate effects of the disasters. Examples include roof repair and/or replacement and installation of storm drainage. Projects may repair, replace or upgrade buildings that are either publically owned or that are privately owned but are used for activities that meet a CDBG national objective. Examples of facilities that might be repaired, replaced or upgraded include community centers, fire stations, and homeless shelters. Under the terms of the appropriation, a minimum of \$2,156,733 must be used for affordable rental housing. The AEDC will partner with the Arkansas Development Finance Authority (ADFA) to administer CDBG Supplemental appropriations earmarked for housing. ADFA personnel will supervise the distribution of the housing funds and report on the progress of individual projects through the Disaster Recovery Grant Reporting (DRGR) system.

Applicants must identify by ownership and address any single-family or multifamily unit(s) for low to moderate income households directly impacted by one of the federally declared natural disasters. The application must provide for the rehabilitation or reconstruction of the existing property or the replacement of the units at an alternate site(s) within the same jurisdiction. The applicant must provide documentation from the Federal Emergency Management Agency and/or the Arkansas Department of Emergency Management documenting damage to residential buildings resulting from one of the disasters. ADFA will give priority to those applications identifying the greatest number of impacted low to moderate income rental units. Low-income rental units will be defined to include those properties whose rents at the time of the disaster would be considered affordable under either the Low-Income Housing Tax Credit (LIHTC) or HOME Investment Partnerships Program (HOME).

Eligible applicants are limited to municipalities, counties, and nonprofit entities. All recipients must complete the activities within two years of the date of allocation. The

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division of responsibilities between AEDC and ADFA is defined in a Memorandum of Understanding (MOU) between the two agencies (See Appendix D).

2. Restoration of Infrastructure

This category will be used to fund projects related to the repair, replacement or upgrading of public infrastructure which was damaged by the disasters, or which proved to be insufficient to handle the public need. Examples include the repair or replacement or upgrading of city water systems or sewer systems, repair or replacement of roads, and the construction of drainage systems.

3. Long-Term Disaster Recovery

This category will be used to fund projects related to the repair of damages of a long-term nature, as well as projects designed to prevent future disasters. Examples of projects that could be funded under this category include drainage improvements, levee improvements, construction of emergency shelters, installation or upgrading of emergency warning systems, the purchase of emergency generators for water and sewer plant operation, and the replacement of doors and windows to prevent future damage or to incorporate new designs in safety and energy efficiency. This category may also be used to fund planning grants designed to prepare the counties or communities to respond to future disasters, and to plan for the long-term economic recovery of areas that were affected by disasters. Examples include the preparation of city and county-wide disaster preparedness plans, and local and regional economic development plans. This category may also be used to fund projects that focus on the long-term economic recovery of affected cities, counties or regions. Examples include the repair, replacement or construction of industrial buildings that were damaged or destroyed by the disasters, or the awarding of incentives to attract new industry to areas that were affected by the disasters.

4. Administration

The regulations which govern the CDBG Supplemental Disaster grants allow for up to 5% of the grant to be used for the administration of the grant. Funds from this line item that are not expended for administration may be transferred to other line items.

IV. Promotion of Short- and Long-Term Recovery Planning

To expedite disaster recovery and ameliorate the effects of future disasters, the State of Arkansas will engage in specific actions that will promote the equitable distribution of funds to the affected areas and work to prevent future disasters. The recommendations below illustrate specific actions that will be undertaken to implement the Action Plan.

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A. Short Term Recommendations

1. Provide advice and support to individuals, families, businesses, nonprofit organizations and local governments seeking information and assistance on methods of accessing CDBG federal disaster funding.
2. Provide incentives for small businesses and non-profits for restoration and rebuilding of their businesses.
3. Expedite the flow of funds from federal funding sources to county and local governments.
4. Seek advice from citizens, county and local governments, and Districts on the most equitable methods to distribute the supplemental CDBG funding.

B. Long Term Recommendations

1. Ensure the availability of affordable rental housing in counties affected by the disasters.
2. Provide assistance to counties and local governments in the restoration of infrastructure and public facilities.
3. Provide assistance to for-profit businesses and non-profit organizations in recovering from the physical and economic damage resulting from the disasters.
4. Support integrated regional planning to address recovery, and leverage multi-jurisdictional strengths for ongoing initiatives.
5. Assist county and local governments in efforts to prevent future disasters. To assist in planning the recovery effort, the AEDC secured an EDA grant to jointly partner with the Institute for Economic Advancement (IEA) at the University of Arkansas at Little Rock to develop a Disaster Recovery Plan. A major purpose of the EDA-funded plan is to delineate the vital role of economic development in community disaster recovery and in preparedness for the next disaster that will face a community. As part of the planning effort, the IEA is soliciting information and advice from the Districts, locally elected and appointed officials, agency personnel, economic developers, and public and private sector leaders.

V. Encouragement of Durable, High-Quality, Energy Efficient, and Mold Resistant Construction Methods

The AEDC will continue to collaborate with ADFA to coordinate all eligible housing activities in the impacted area. In administering the housing portion of the CDBG disaster funds, ADFA will encourage durable, high-quality and energy efficient residential housing construction by requiring adherence to state and local housing codes, and to housing construction guidelines from ADFA and the Arkansas Energy Office. All builders in Arkansas are required to meet the minimum requirements of the Arkansas energy code, incorporated by reference into the state's fire prevention codes, regardless of local code adoption or enforcement. The Arkansas Energy Office is in the process of amending enabling legislation

Arkansas Action Plan for Disaster Recovery

to require adoption of the state's energy code by all cities that provide building permits. Arkansas's energy code is based on the 2003 International Energy Conservation Code.

Housing that is rehabilitated or constructed shall, upon completion, meet or exceed all applicable minimum housing code and accessibility standards, as established by ADFA, and all state and local housing codes, State Model Energy Code, zoning, fire, and building codes, as amended. In the absence of local building codes, all structures must meet, as applicable, the building standards outlined in the International Code Council (ICC).

The ADFA Minimum Design Standards and the ADFA HOME Program General Specifications Performance Manual describe construction/rehabilitation standards established by the agency. These standards can be found on ADFA's website at www.arkansas.gov/adfa, Publications and Forms link.

Provision of Adequate Housing for All Income Groups That Lived In the Disaster-Impacted Areas

Arkansas addresses its emergency shelter and transitional housing needs through its local Continuums of Care and the Balance of State Continuum of Care. The Arkansas Department of Human Services administers both the state and federal homeless programs that also provide emergency shelter and transitional housing funding to entities throughout the state. Through these programs, operated at the local level, the needs of the homeless and those at risk of homelessness are being addressed.

Homeless shelters and transitional housing units impacted by the disasters will be eligible for assistance through the housing assistance component of this plan, if these facilities were located outside the 100 year flood plain. If they were within the 100 year flood plain the facilities will be eligible for assistance to rebuild outside the flood plain.

The State of Arkansas's Consolidated Plan, approved by HUD in 2005, identifies specific strategies and actions that the state takes to address a variety of housing needs for low and moderate income persons, the at risk population group, as well as those with special needs (i.e., elderly, frail elderly, persons with disabilities, persons with alcohol or other drug addictions and person diagnosed with HIV/AIDS). There is a need for a wide variety of housing options ranging from independent living to supported independent living to group settings to specialized care. Beyond the bricks and mortar is the need to blend required support services with the appropriate affordable housing options.

All of these issues will need to be considered as we rebuild our communities following our recent flooding and tornados. All new construction and rehabilitation must keep in mind the needs of the potential occupants of the units, particularly the needs of those with special needs. Grantees will be required to work with nonprofit agencies as well as persons providing housing to special needs individuals and groups to ensure that their housing is replaced or rehabilitated in a manner appropriate to their needs.

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VI. Methodology Used to Distribute Funds

A. Allocation Formula

To insure that local needs are addressed in a timely and equitable manner, the state will rely on assistance from the eight Districts in the state. Because Arkansas's Districts have toured areas affected by the disasters and have maintained ongoing dialogue with every unit of local government affected by the 2008 disasters, they are therefore well qualified to inform the AEDC of local recovery needs.

On February 5, 2009 the state held a meeting of key stakeholders to assist in the development of an equitable method to distribute CDBG supplemental appropriations. Attendees included representatives from each District, as well as representatives from the Arkansas Community Development Association (ACDA), the organization of Arkansas entitlement cities. Also in attendance were representatives from the IEA and ADFA. As a result of this meeting, a task force was established to assist in the development of a distribution method. The task force recommended that a formula be developed that would set aside funds for Districts to distribute to cities and counties within their geographic area. The proposed formula would use the following variables to determine the amount of money to set aside for each District.

1. The amount of Public Assistance (PA) damage assessed in each county by FEMA for disasters FEMA #1744; FEMA #1751; FEMA #1793; and, FEMA #1804 (25% of the scoring).
2. The percentage of low-to-moderate income (LMI) persons residing in each county as documented-by the 2000 Census (25% of the scoring).
3. The number of LMI families in each county as documented by the 2000 Census (25% of the scoring).
4. The number of times in which a county was included in any of the four (FEMA # 1744; FEMA #1751; FEMA #1793; and, FEMA #180) presidentially declared disasters in 2008 (25% of the scoring).

Based upon preliminary calculations* funding for all disasters would be distributed among Districts as follows:

- Central Arkansas Planning & Development (Six counties) - \$1,516,280
- East Arkansas Planning & Development (Twelve counties) - \$2,962,386
- Northwest Arkansas Economic Development District (Nine counties) – \$2,223,173
- Southeast Arkansas Economic Development District (Ten counties) -\$2,016,656
- Southwest Arkansas Planning & Development District (Twelve counties) - \$2,114,059
- Western Arkansas Planning & Development (Six counties) - \$943,650

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- West Central Arkansas Planning & Development (Ten counties) –\$2,616,388
- White River Planning & Development District (Ten counties) - \$2,732,699

*Note: These amounts exclude 5 percent of the allocations for administration costs and \$2,156,733 that has been set aside for housing activities in accordance with P.L. 110-252. Adjustments to these amounts may be made should more reliable damage information become available. (See Appendix E for Fund Distribution by County.)

B. Pre-Application Process

The task force also reviewed and approved a one-page pre-application form (See Appendix F) developed by AEDC that cities and counties would be required to complete to request disaster funding. To expedite the pre-application review process, the task force agreed with an AEDC recommendation that the Districts assist in the initial screening of projects for general compliance, eligibility and need. The pre-applications will then be forwarded to AEDC for scoring. The highest scoring applicants within each District will be invited by the AEDC to submit a full application for funding.

The task force is currently developing scoring criteria based upon the following variables including, but not limited to:

1. Urgency of need, as defined by the degree of threat to the health, safety and welfare of the community
2. Percentage of persons in the project area who are of low to moderate income
3. Extent of loss of housing units in the neighborhood community or county, especially those units affordable to low and moderate income persons
4. Time frame for completion of the project
5. Number of declared disasters affecting the county in 2008
6. Amount of total dollar damage affecting the applicant area

Final variables and exact weighting of each variable will be determined by the task force at a later time, prior to initiation of the pre-application process.

Counties and cities, including entitlement cities are eligible to submit pre-applications for funding consideration. All projects must meet a national objective and provide disaster relief, long-term recovery, restore infrastructure or address housing or economic revitalization.

Any funds not used in any District may be transferred to another District at the discretion of the AEDC. Under no circumstances may funds duplicate other benefits. Funds cannot be used for Federal cost sharing or match or used for activities reimbursable by FEMA or the U.S. Army Corps of Engineers.

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VII. The Public Participation Process

A public hearing to solicit public comments regarding the receipt and use of CDBG Disaster Recovery Funds available under the Supplemental Appropriations Act, 2008 (Public Law 110-252) and the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009 (Public Law 110-329) was conducted on February 25, 2009 at 10 a.m. at the University of Arkansas Cooperative Extension Office in Little Rock, Arkansas.

The following comments, as recorded and responded to, are included below.

Disaster Funds Public Hearing
Little Rock
February 25, 2009

Basil Julian explained that the State of Arkansas has been notified that the State is eligible to receive \$25,042,358 in supplemental CDBG funds, from two different appropriations, to help with disaster recovery from the 2008 disasters. He stated that seventy one Arkansas counties are presidentially declared disaster counties. Twelve of the 71 counties are eligible under the first appropriation and all 71 are eligible under the remaining appropriation.

Basil also explained that the funds will be set aside for the eligible counties within the eight Planning and Economic Development Districts (PDD) using a formula developed by a task force. Once the action plan is approved by HUD and funding is in place pre-applications for the funds will be received by the eight PDDs and will be forwarded to the AEDC Grants Division for final approval. At that time, the selected cities and counties will be asked to complete an application for the grant.

Geraldean Turner-Warr, Pulaski County Housing, Little Rock--asked why ADFA was chosen to administer the housing funds when there is a program already in place to help residents who have been displaced.

Response: Basil Julian explained that ADFA serves the entire state, not just Pulaski County. Sara Braswell stated that ADFA serves as the statewide agency for housing funds and that Ms. Turner-Warr's agency could possibly access some funds from ADFA.

Wayne Blankenship, Washington County Grant Administrator--Fayetteville stated that Washington County needs generators for water systems and emergency shelters to be prepared for future disasters such as the recent ice storm. He said they were able to obtain a Corps of Engineers generator to help with the last emergency.

Paul Wellenberger, Alderman, Fairfield Bay—seconded Mr. Blankenship's statement that generators were a high priority. He asked if the Planning and Development Districts would be collecting all of the potential project information. He also wanted to know if there would be an evaluation at today's meeting of potential projects.

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Response: Basil told him the Planning and Development Districts would collect the pre-applications for potential projects and that there would be no evaluation done at today's meeting.

Jim Jackson, Heber Springs—asked if a project to repair drainage issues in downtown Heber Springs would be eligible for funding.

Response: Basil answered that the LMI for the affected area would have to be determined, as well as the project costs and other criteria, to know the eligibility of the project.

Donald Sampson, City of Pine Bluff Economic & Community Development--asked if the environmental review would be waived for these projects. He also asked if they could start the application process at this time.

Response: Basil answered that the environmental review process could not be waived and since there was no funding in place you could not have an incur cost letter to cover expenditures incurred prior to the grant agreement.

Donald Sampson, City of Pine Bluff Economic & Community Development—asked if long term disaster threat projects would be eligible.

Response: Basil told him they would be eligible.

Donald Sampson, City of Pine Bluff Economic & Community Development--asked if affordable rentals could be coordinated with existing projects.

Response: Sara Braswell with ADFA told him they would look at the individual projects for things such as the match for the project to determine eligibility of the project.

Basil explained the match will help increase the rating as the projects are scored for funding.

Wayne Blankenship, Washington County grant administrator, Fayetteville—asked if the PDDs would help with the completion of the applications.

Response: Basil Julian told him the PDDs would help with the one page pre-applications, but that the city/county would have the information needed for the pre-application. He then explained that if invited to apply, the city/county would then submit applications following the regular grant process.

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Wayne Blankenship, Washington County grant administrator, Fayetteville—asked if the rule of one grant per city and two per county would be applicable.

Basil said this rule would not apply for the disaster recovery grants.

Jimmy Jones, Dallas County Judge, said the PDDs may be overloaded and wanted to know if the city/county could use a private administrator.

Basil told him they could use private administrators rather a PDD if they are qualified and properly procured.

Basil Julian thanked everyone for coming. He said the action plan would be on the AEDC website by March 4, 2009. He stated that public comments would be received at the AEDC office until March 11, 2009. At that time all comments will be reviewed and any necessary changes made in the plan before being forwarded to HUD by March 13 for their approval.

Steps to garner public participation included:

- On February 18, 2009, a notification regarding the conduct of the above public hearing was mailed to all mayors, county judges, community leaders, legislators, administrators of CDBG grants and HUD Consolidated Plan participating agencies.
- Notifications of the public hearing were advertised in the state's largest newspaper of public circulation, the *Arkansas Democrat Gazette*, on February 19, 2009 and February 22, 2009.
- A draft copy of the proposed Action Plan will be posted on the AEDC web page www.arkansasedc.com no later than March 6, 2009, for public comment prior to submission to HUD on March 13, 2009.

VIII. Monitoring Standards

The Arkansas Development Finance Authority (ADFA) administers the HOME program, as well other housing programs, for the State of Arkansas. ADFA staff will monitor the housing portion of the Disaster Recovery funds consistent with the HOME standards that have been reviewed and approved by HUD.

The AEDC CDBG staff will oversee all activities and expenditures of the non-housing portion of the Disaster Recovery funds consistent with the established CDBG monitoring procedures to ensure full accountability. The AEDC will use its current CDBG Administrators Procedures Manual as the guide for its monitoring effort. All projects will be monitored at least once during the duration of the grant in

Arkansas Action Plan for Disaster Recovery

accordance with established procedures and checklists that may be modified to reflect regulatory requirements.

All grantees will be required to submit an annual audit plan to determine whether they will be required to submit an audit. Grantees who have received \$500,000 or more in federal funding during the preceding year will be required to submit an audit in accordance with A-133 standards. The AEDC audit and closeout specialist will review all required audits to ensure compliance with regulatory requirements.

The state will make quarterly reports to HUD documenting the various activities and uses of funds.

IX. Steps to Prevent Fraud, Abuse of Funds, Mismanagement and Duplication of Benefits

To avoid or mitigate occurrences of fraud, abuse, mismanagement, and duplication of benefits (especially regarding fiscal management) the AEDC and ADFA will rely upon guidance from existing CDBG and HOME programs. For non-housing construction projects, the AEDC will require that applicants District personnel or private professional administrators that have been trained by AEDC. Staff from the AEDC or ADFA will be assigned to provide technical assistance, and to monitor and review each project for compliance with all applicable federal and state regulations.

X. Amending the Action Plan

The following shall be considered substantial amendments to the Action Plan for Disaster Recovery:

1. Adding or deleting proposed activities
2. Changing the planned beneficiaries of an activity
3. A change in the formula used to distribute funds
4. Redistribution of the funding set aside for the counties within a District that increases or decreases the overall set aside for that district by more than 25%

For substantial amendments, the state will follow the same procedures for public notice as described herein: public notice on the AEDC web site followed by a public comment period of no less than seven days. The proposed amendment will then be submitted to the HUD Little Rock Field Office for review. For minor amendments, the state will notify the HUD Little Rock Field Office.

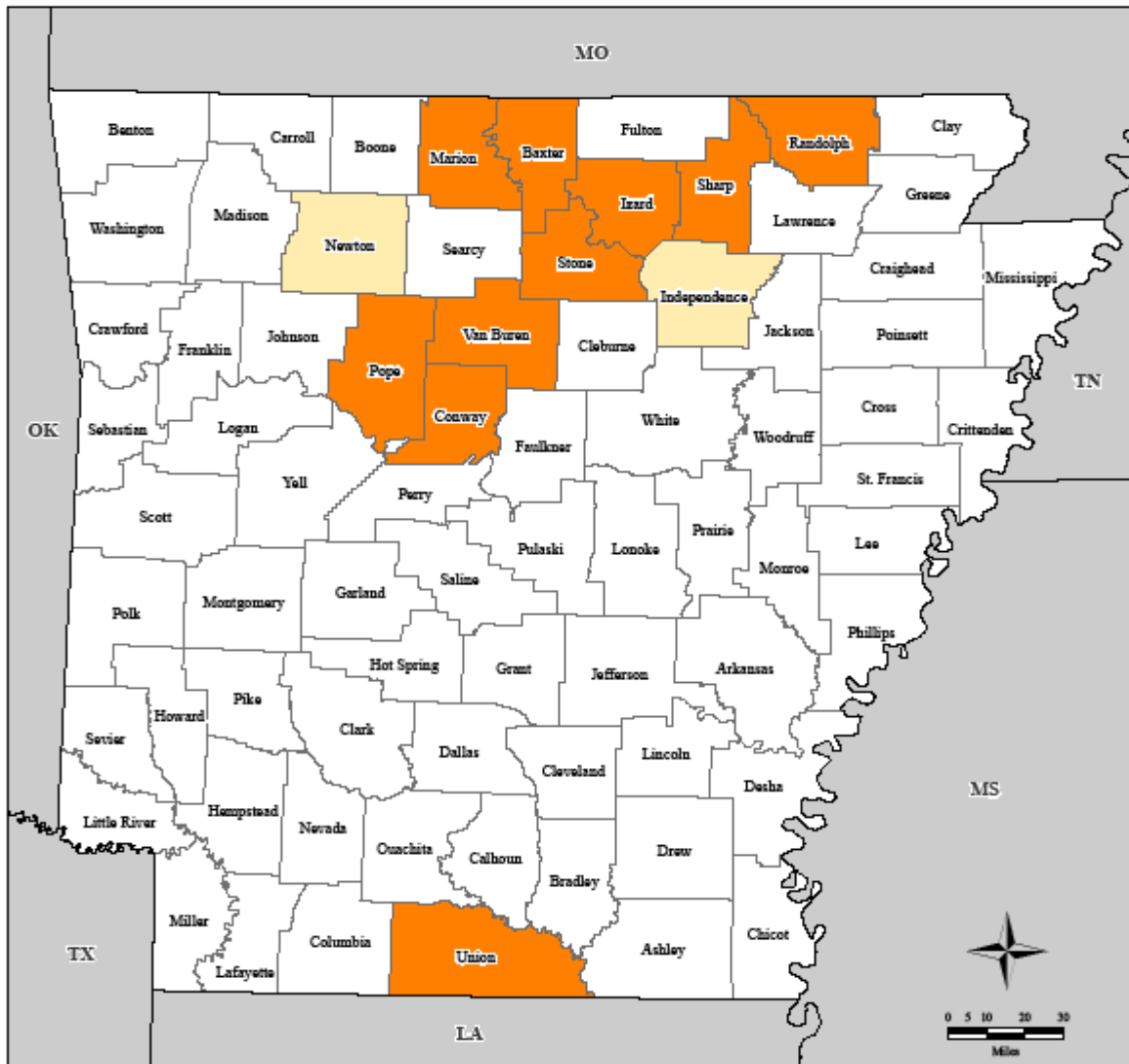
Arkansas Action Plan for Disaster Recovery

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Appendix A (1)

FEMA-1744-DR, Arkansas Disaster Declaration as of 02/20/2008



Location Map

Legend

Designated Counties	
	No Designation
	Public Assistance
	Individual Assistance and Public Assistance

All counties are eligible for Hazard Mitigation

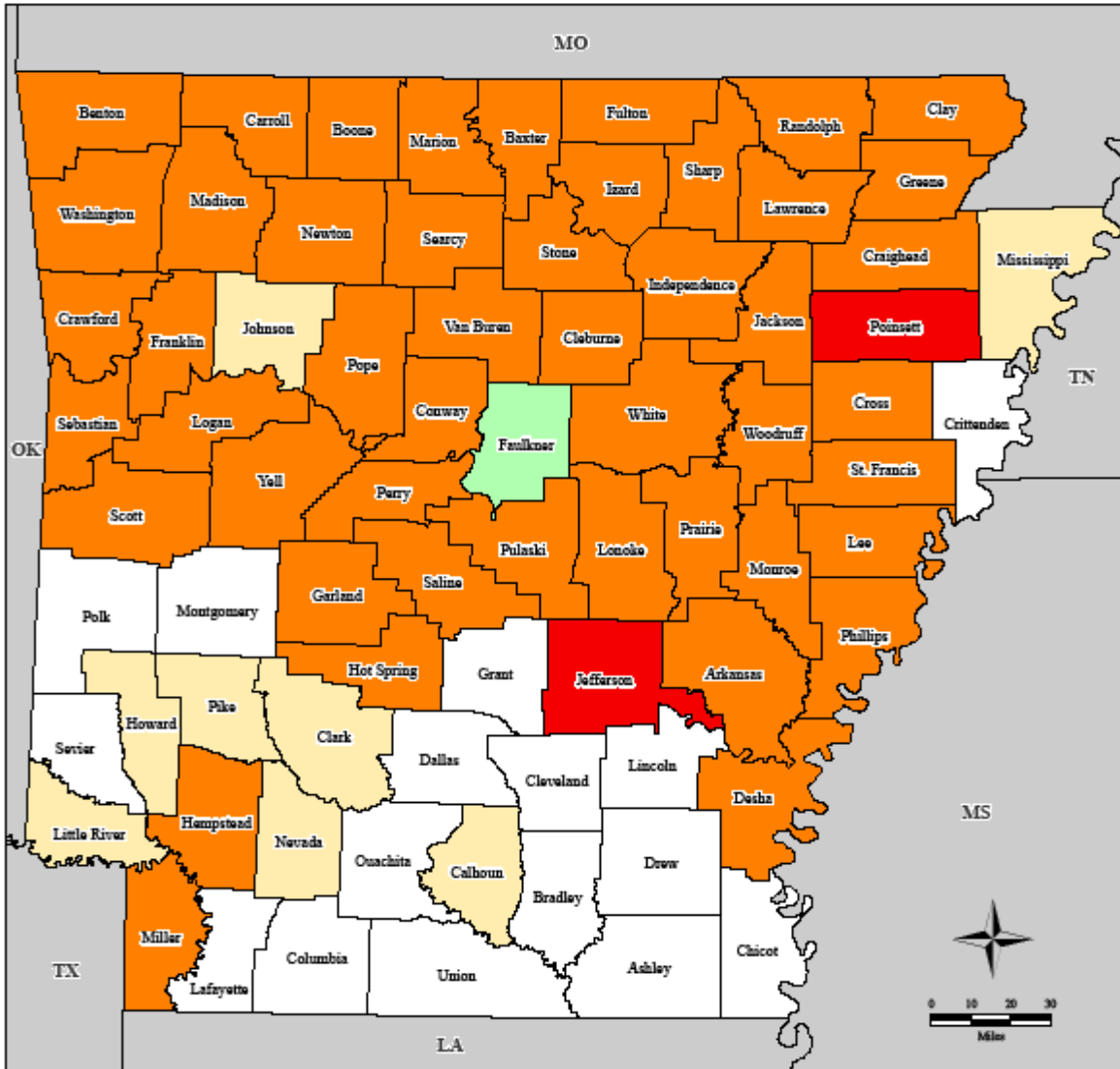
FEMA
ITS Mapping & Analysis Center
Washington, DC
02/20/08 -- 06:45 PM EST
Source: Disaster Federal Registry Notice
Amendment No. 4 - 02/20/2008

MapID d72e6aac04e

Appendix A (2)

Arkansas Action Plan for Disaster Recovery

FEMA-1751-DR, Arkansas Disaster Declaration as of 05/22/2008




Location Map

Legend

Designated Counties:

- No Designation
- Public Assistance
- Individual Assistance
- Individual Assistance and Public Assistance
- Public Assistance (Category B), limited to direct Federal assistance

All counties are eligible for Hazard Mitigation



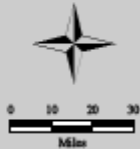
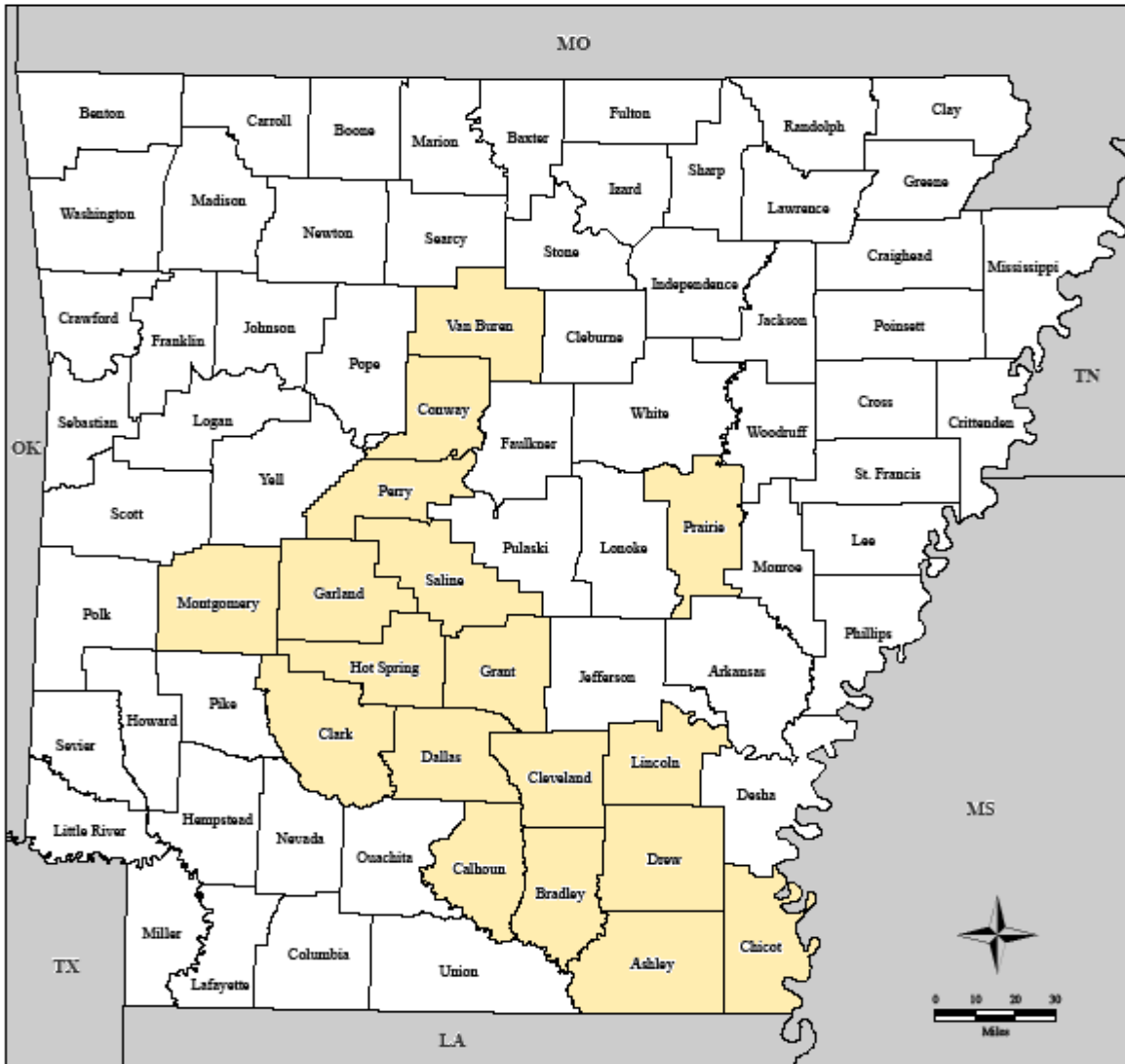
FEMA

ITS Mapping & Analysis Center
Washington, DC
05/23/08 -- 08:00 AM EDT
Source: Disaster Federal Registry Notice
Amendment No.9 - 05/22/2008

MapID 0b9476d8d33

Appendix A (3)

FEMA-1793-DR, Arkansas
Disaster Declaration as of 09/18/2008



Location Map



Legend

- Designated Counties
- No Designation
- Public Assistance

All counties are eligible for Hazard Mitigation



ITS Mapping & Analysis Center
Washington, DC
09/19/08 -- 07:47 AM EDT

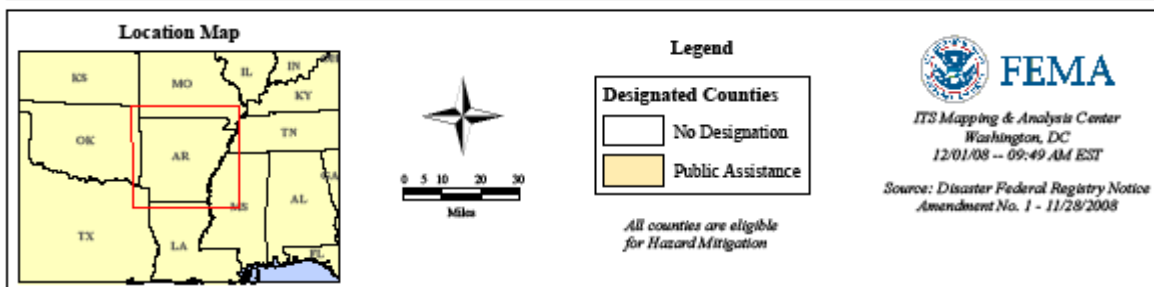
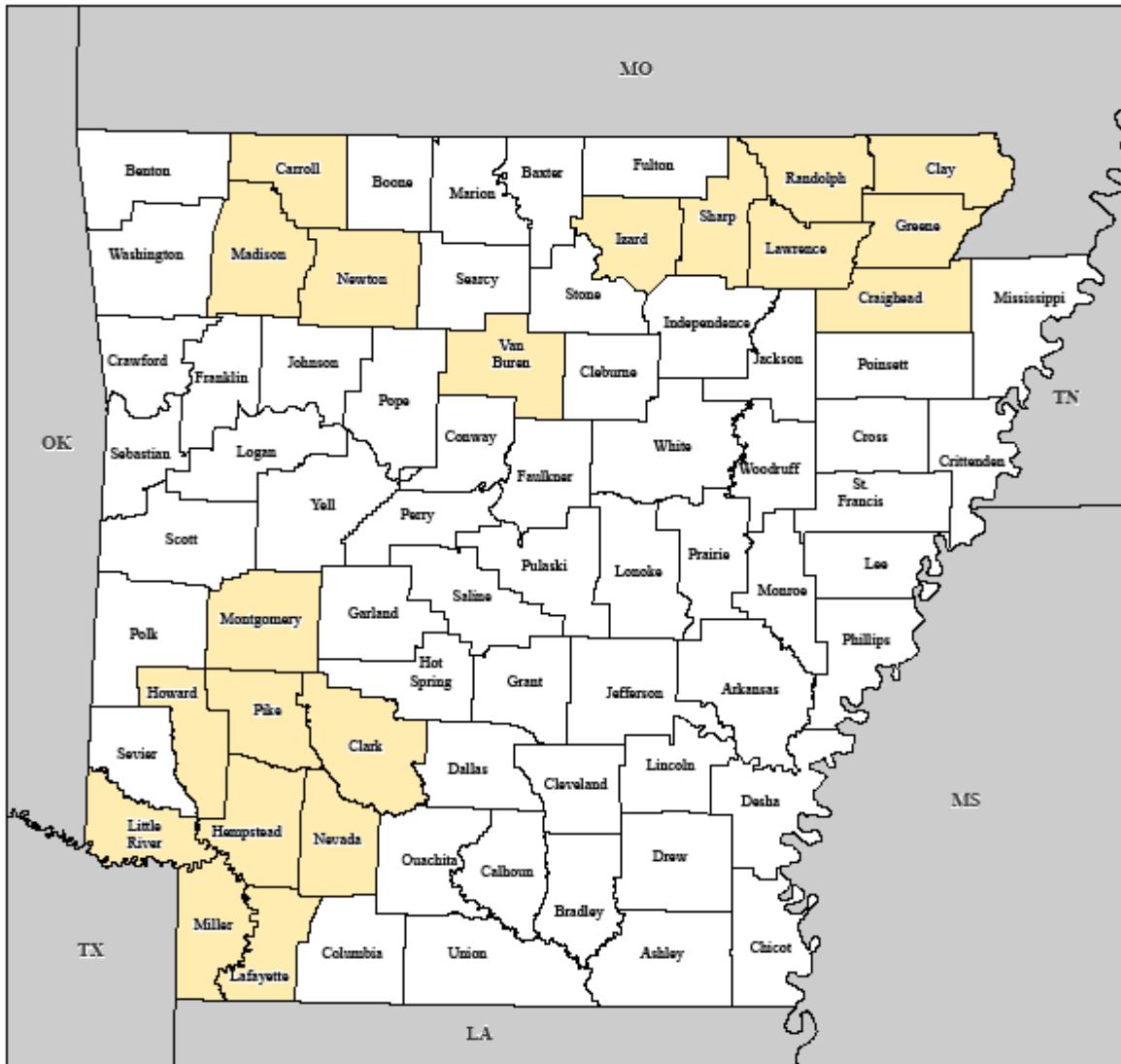
Source: Disaster Federal Registry Notice
09/18/2008

MapID 33a59b0348d09180811700hqprod

Arkansas Action Plan for Disaster Recovery

Appendix A (4)

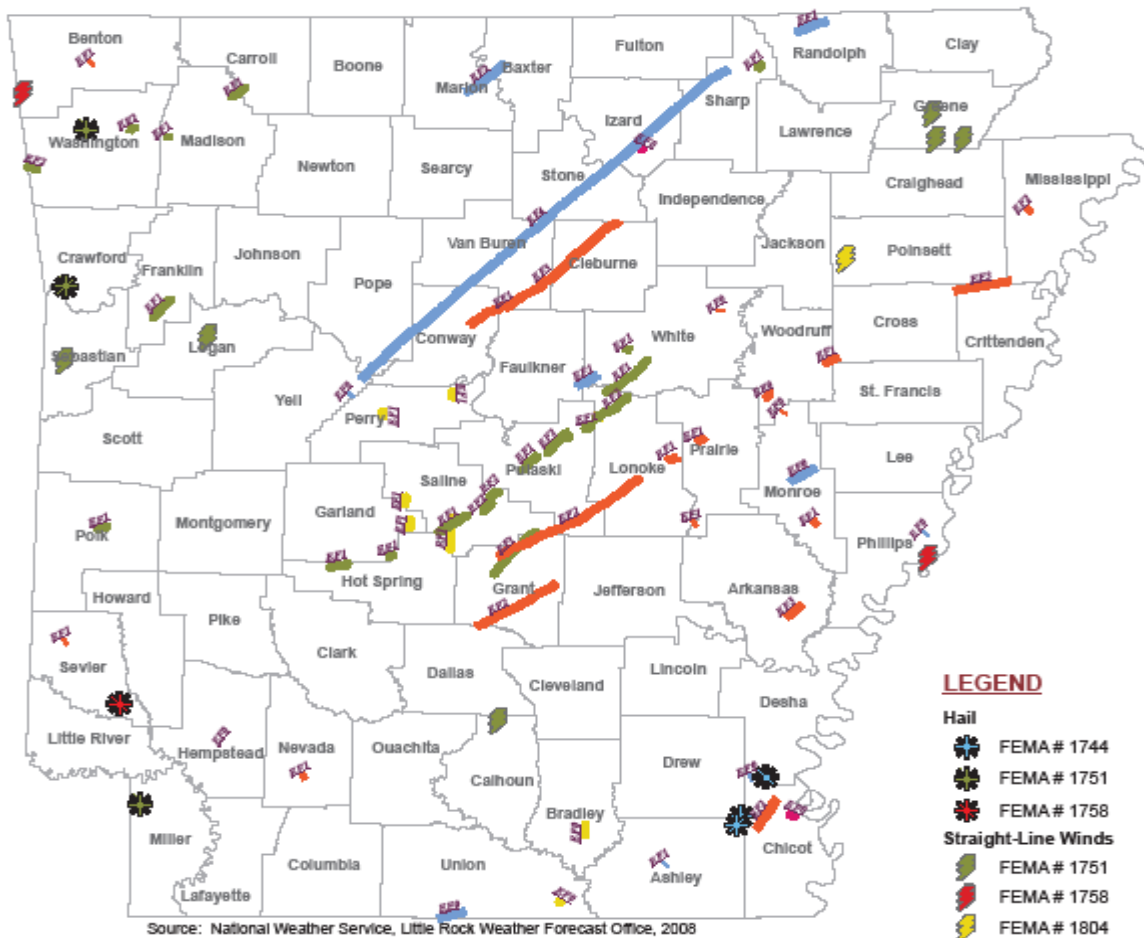
FEMA-1804-DR, Arkansas Disaster Declaration as of 11/28/2008



MapID 0d3cc6f83e11201080630hqprod

Appendix B

Arkansas Weather Events: Tornadoes, Straight-Line Winds, and Hail: 2008



- LEGEND**
- Hail**
 - FEMA # 1744
 - FEMA # 1751
 - FEMA # 1758
 - Straight-Line Winds**
 - FEMA # 1751
 - FEMA # 1758
 - FEMA # 1804
 - Tornado Paths**
 - FEMA # 1744
 - FEMA # 1751
 - FEMA # 1758
 - FEMA # 1793
 - FEMA # 1804

University of Arkansas at Little Rock
GIS Applications Laboratory
Institute for Economic Advancement
<http://argis.ualr.edu>
501-569-8534

Appendix C Arkansas Planning and Economic Development Districts

Central Arkansas Planning and Development District

P.O. Box 300
902 Center Street
Lonoke, AR 72086
Phone: (501) 676-2721
FAX: (501) 676-5020
Executive Director: Rodney Larsen
Email: rodney.larsen@arkansas.gov
Website: <http://www.capdd.org>

East Arkansas Planning and Development District

P.O. Box 1403
2905 King Street
Jonesboro, AR 72403
Phone: (870) 932-3957
FAX: (870) 932-0135
Executive Director: Richard Spelic
Email: rspelic@eapdd.com
Website: <http://www.eapdd.com>

Northwest Arkansas Economic Development District

P.O. Box 190
818 Highway 62-65-412 North
Harrison, AR 72602-0190
Phone: (870) 741-5404
FAX: (870) 741-1905
Executive Director: J. Mike Norton
Email: jmnorton@nwaedd.org
Website: <http://www.nwaedd.org>

Southeast Arkansas Economic Development District

P.O. Box 6806
721 Walnut Street
Pine Bluff, AR 71611
Phone: (870) 536-1971
FAX: (870) 536-7718
Executive Director: Glenn Bell
Email: glennbell@cablelynx.com

Southwest Arkansas Planning and Development District

P.O. Box 767
101 Business Park Drive
Magnolia, AR 71753
Phone: (870) 234-4030
FAX: (870) 234-0135
Executive Director: Terry Sherwood
Email: terry.sherwood@arkansas.gov
Website: <http://www.swapdd.com>

White River Planning and Development District

P.O. Box 2396
1652 White Drive
Batesville, AR 72501
Phone: (870) 793-5233
FAX: (870) 793-4035
Executive Director: Van Thomas
Email: thomas@wrpdd.org
Website: <http://www.wrpdd.org>

West Central Arkansas Planning and Development District

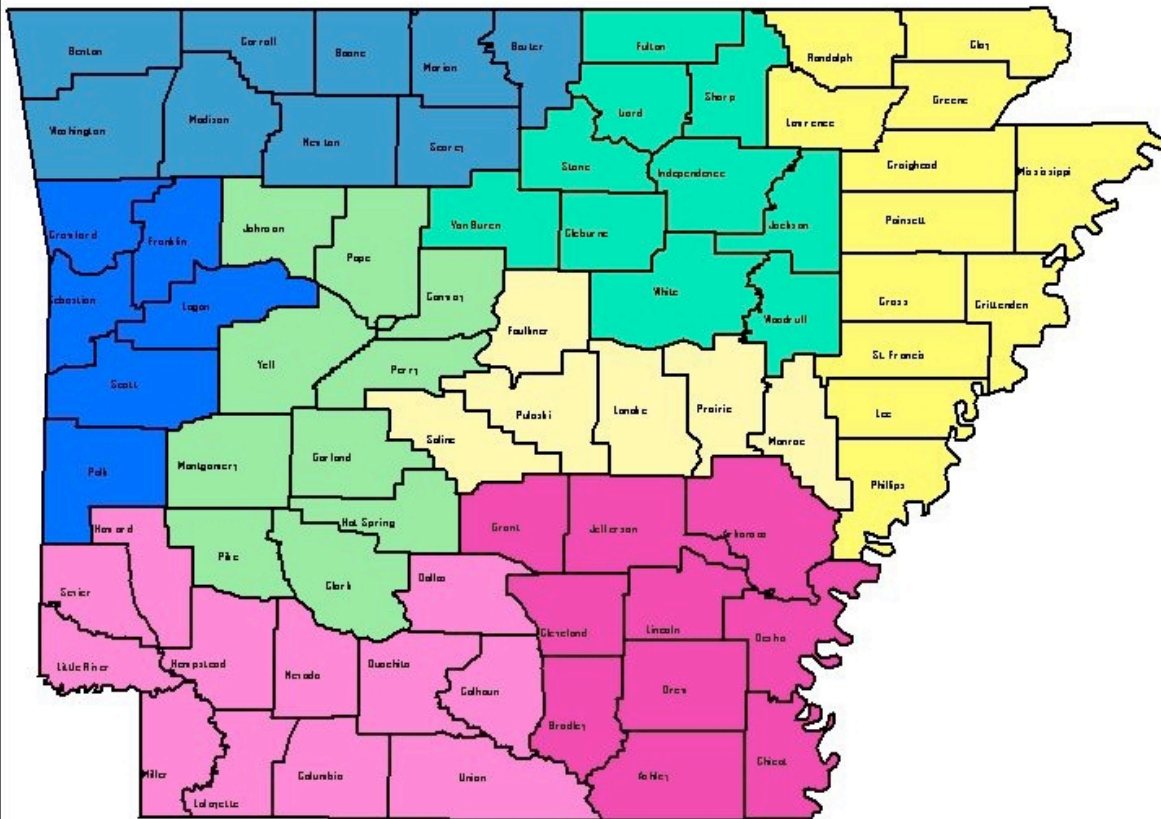
P.O. Box 21100
835 Central Avenue, Suite 201
Hot Springs, AR 71903
Phone (501) 525-7577
Fax: (501) 525-7677
Executive Director: Dwayne Pratt
Email: dpratt@wcapdd.org
Website: <http://wcapdd.dina.org/>

Western Arkansas Planning & Development District.

P.O. Box 2067
1109 S. 16th Street
Fort Smith, AR 72901
Phone: (479) 785-2651
Fax: (479) 785-1964
Executive Director: John Guthrie
Email: jguthrie@wapdd.org
Website: <http://www.wapdd.org/index.html>

ARKANSAS

Planning and Economic Development Districts



Map Produced By: Central Arkansas
Planning and Development District, Inc.

- Northwest Arkansas EDD
- White River PDD
- East Arkansas PDD
- Southeast Arkansas EDD
- Central Arkansas PDD
- West Central Arkansas PDD
- Southwest Arkansas PDD
- Western Arkansas PDD

Appendix D

**MEMORANDUM OF UNDERSTANDING (“MOU”)
Between
Arkansas Economic Development Commission (“AEDC”)
And
Arkansas Development Finance Authority (“ADFA”)**

A. Introduction

Pursuant to Public Law 110-252, the Supplemental Appropriations Act, signed into law by President Bush on July 30, 2008, the State of Arkansas is hereby authorized to administer Community Development Block Grant (CDBG) funds for affordable housing. Arkansas expects to receive approximately \$25,042,358 during the 2009 Program Year as a special CDBG allocation to be used for disaster relief, infrastructure, long-term disaster recovery and affordable housing.

B. Scope and Purpose of the MOU

This MOU is intended to specify the various roles and responsibilities of AEDC and ADFA regarding the additional CDBG fund allocation for affordable housing in Arkansas. The MOU specifically does not address cooperative efforts on any program other than CDBG.

C. Terms of MOU

AEDC and ADFA hereby agree as follows:

AEDC, as administrator of the State Community Development Block Grant Program (“CDGB”) as provided to Arkansas by the Department of Housing and Urban Development (“HUD”), acknowledges it does not currently have the expertise necessary to administer a housing program using CDBG funds;

AEDC hereby expresses its intent to enter into this MOU in order to transfer the responsibility of administering any CDBG funds for affordable housing to ADFA;

ADFA hereby expresses its intent to enter into this MOU in order to administer any CDBG funds made available for affordable housing for the State of Arkansas;

AEDC and ADFA hereby agree that each agency, to the extent practicable, will keep the other agency informed concerning administration of affordable housing initiatives using CDBG funds;

ADFA hereby agrees to administer any CDBG funds made available for affordable housing according to all rules, regulations, and provisions of Public Law 110-252, the Supplemental Appropriations Act of 2008, and the CDBG Program, unless specifically waived by HUD.

Arkansas Action Plan for Disaster Recovery

ADFA hereby agrees to accept as full and total compensation for its services in administering any affordable housing initiatives using CDBG funds made available for that purpose for the State of Arkansas five percent (5%) of the total CDBG funds allocated for such purpose as allowed by Public Law 110-252, the Supplemental Appropriations Act of 2008.

D. Period of MOU

AEDC and ADFA hereby agree that this MOU will remain in effect until 1) terminated by written notification of either party; 2) the MOU is superseded by a subsequent written agreement entered into by both entities; or 3) termination or suspension of Public Law 110-252, the Supplemental Appropriations Act of 2008, by federal law(s) or changes to HUD regulations regarding CDBG funding provided under Public Law 110-252, the Supplemental Appropriations Act of 2008.

E. Modification of MOU

This MOU may be modified or amended by written agreement of AEDC and ADFA. A request for amendment to the MOU may be initiated by either of the two (2) entities through written notification to the other entity.

Now therefore, AEDC and ADFA do hereby agree to the aforementioned terms of this MOU as of 5/13/09 as evidenced by the following signatures:

AEDC:

By: 

Maria Luisa M. Haley
Executive Director, AEDC

ADFA:

By: 

Mac Dodson
President, ADFA

Arkansas Action Plan for Disaster Recovery

Appendix E Fund Distribution by County

Counties	PDD	LMI	2000	LMI Families	All Disasters	Converted	Estimated CDBG	Disaster 1758	Converted	Est CDBG
		Percentage	Families	Families x % <i>(Includes entitlements)</i>	Except #1758 \$17,125,671	to %	Eligible Amt Exc 1758	Only \$4,510,126	to %	Eligible Amt 1758 Only
		<i>(no entitlements)</i>			\$17,125,671					
Arkansas	SE	0.399	8457	3374	0.22706272	1.47%	\$251,283	0.19769214	12.50%	\$ 563,881.07
Ashley	SE	0.389	9384	3650	0.164093075	1.06%	\$181,597			
Baxter	NW	0.36	17052	6139	0.222753101	1.44%	\$246,514			
Benton	NW	0.361	58212	21015	0.236573548	1.53%	\$261,809	0.102990822	6.51%	\$ 293,762.69
Boone	NW	0.366	13851	5069	0.159203618	1.03%	\$176,186			
Bradley	SE	0.453	4834	2190	0.181598026	1.17%	\$200,969			
Calhoun	SW	0.395	2317	915	0.227615062	1.47%	\$251,895			
Carroll	NW	0.416	10189	4239	0.236905882	1.53%	\$262,177			
Chicot	SE	0.517	5205	2691	0.195473117	1.26%	\$216,324			
Clark	WC	0.417	8912	3716	0.295580131	1.91%	\$327,110			
Clay	E	0.423	7417	3137	0.234047161	1.51%	\$259,013			
Cleburne	WR	0.367	10190	3740	0.226367877	1.46%	\$250,514	0.13142532	8.31%	\$ 374,866.95
Cleveland	SE	0.38	3273	1244	0.159903198	1.03%	\$176,960			
Columbia	SW	0.44	9981	4392	0	0.00%	\$0			
Conway	WC	0.411	7967	3274	0.357233567	2.31%	\$395,340	0.131327306	8.31%	\$ 374,587.39
Craighead	E	0.414	32301	13373	0.240105282	1.55%	\$265,717			
Crawford	W	0.389	19702	7664	0.17555789	1.13%	\$194,285			
Crittenden	E	0.527	18471	9734	0.200151722	1.29%	\$221,502	0.176337773	11.15%	\$ 502,971.60
Cross	E	0.414	7391	3060	0.175901383	1.14%	\$194,665			
Dallas	SW	0.429	3519	1510	0.172003565	1.11%	\$190,351			

Arkansas Action Plan for Disaster Recovery

Counties	PDD	LMI Percentage <i>(no entitlements)</i>	2000 Families <i>(Includes entitlements)</i>	LMI Families Families x %	All Disasters Except #1758 \$17,125,671	Converted to %	Estimated CDBG Eligible Amt exc 1758	Disaster 1758 Only \$4,510,126	Converted to %	Est CDBG Eligible Amt
Desha	SE	0.494	5922	2925	0.188025636	1.22%	\$208,082			
Drew	SE	0.417	7337	3060	0.169928899	1.10%	\$188,055			
Faulkner	C	0.412	31882	13135	0.173463803	1.12%	\$191,967			
Franklin	W	0.385	6882	2650	0.17840909	1.15%	\$197,440			
Fulton	WR	0.443	4810	2131	0.181568496	1.17%	\$200,936			
Garland	WC	0.39	37813	14747	0.235677605	1.52%	\$260,817			
Grant	SE	0.379	6241	2365	0.221767799	1.43%	\$245,424	0.123311817	7.80%	\$ 351,724.65
Greene	E	0.39	14750	5753	0.228353759	1.48%	\$252,712			
Hempstead	SW	0.427	8959	3825	0.235056659	1.52%	\$260,130			
Hot Spring	WC	0.364	12004	4369	0.221694855	1.43%	\$245,343			
Howard	SW	0.393	5471	2150	0.22573457	1.46%	\$249,814			
Independence	WR	0.384	13467	5171	0.226522292	1.46%	\$250,685			
Izard	WR	0.43	5440	2339	0.300399289	1.94%	\$332,443			
Jackson	WR	0.448	6971	3123	0.177832893	1.15%	\$196,802			
Jefferson	SE	0.321	30555	9808	0.148696549	0.96%	\$164,558			
Johnson	WC	0.41	8738	3583	0.170237249	1.10%	\$188,396			
Lafayette	SW	0.474	3434	1628	0.182547239	1.18%	\$202,020			
Lawrence	E	0.412	7108	2928	0.230625362	1.49%	\$255,226			
Lee	E	0.551	4182	2304	0.202445818	1.31%	\$224,041			
Lincoln	SE	0.403	4265	1719	0.165726312	1.07%	\$183,404			
Little River	SW	0.394	5465	2153	0.225860309	1.46%	\$249,953			

Arkansas Action Plan for Disaster Recovery

Counties	PDD	LMI	2000	LMI Families	All Disasters	Converted	Estimated CDBG	Disaster 1758	Converted to	Est CDBG
		Percentage	Families	Families x %	Except #1758	to	Eligible Amt	Only	Percentage	Eligible Amt
		(no entitlements)	(Includes entitlements)	\$17,125,671	\$17,125,671		exc 1758	\$4,510,126		
Logan	W	0.4	8693	3477	0.167167979	1.08%	\$185,000			
Lonoke	C	0.395	19262	7608	0.228954196	1.48%	\$253,377	0.120143624	7.60%	\$342,688
Madison	NW	0.408	5463	2229	0.236166678	1.53%	\$261,359			
Marion	NW	0.408	6776	2765	0.230677886	1.49%	\$255,284			
Miller	SW	0.433	15637	6771	0.241487064	1.56%	\$267,246			
Mississippi	E	0.443	19349	8572	0.243159301	1.57%	\$269,097	0.115946847	7.33%	\$330,717.41
Monroe	C	0.515	4105	2114	0.194149	1.25%	\$214,859			
Montgomery	WC	0.395	3785	1495	0.22492393	1.45%	\$248,917			
Nevada	SW	0.417	3893	1623	0.230462788	1.49%	\$255,046			
Newton	NW	0.458	3500	1603	0.310511163	2.01%	\$343,633			
Ouachita	SW	0.41	11613	4761	0	0.00%	\$0			
Perry	WC	0.375	3989	1496	0.221389038	1.43%	\$245,005			
Phillips	E	0.54	9711	5244	0.263522018	1.70%	\$291,632	0.146070163	9.24%	\$416,639
Pike	WC	0.415	4504	1869	0.231013819	1.49%	\$255,656			
Poinsett	E	0.441	10026	4421	0.175430674	1.13%	\$194,144			
Polk	W	0.448	8047	3605	0	0.00%	\$0			
Pope	WC	0.394	20701	8156	0.238688987	1.54%	\$264,150			
Prairie	C	0.404	3894	1573	0.229156828	1.48%	\$253,601			
Pulaski	C	0.358	147942	52963	0.250973622	1.62%	\$277,745	0.121610882	7.69%	\$346,873.04
Randolph	E	0.411	7265	2986	0.296784836	1.92%	\$328,443			

Arkansas Action Plan for Disaster Recovery

Counties	PDD	LMI	2000	LMI Families	All Disasters	Converted	Estimated CDBG	Disaster 1758	Converted	Est CDBG
		Percentage (no entitlements)	Families (Includes entitlements)	Families x %	Except #1758	to	Eligible Amt exc 1758	Only	to Percentage	Eligible Amt
				\$17,125,671	\$17,125,671			\$4,510,126		
St. Francis	E	0.48	10043	4821	0.186662505	1.21%	\$206,574			
Saline	C	0.344	31778	10932	0.293430705	1.90%	\$324,731	0.092627698	5.86%	\$264,203.75
Scott	W	0.442	4323	1911	0.175027118	1.13%	\$193,697			
Searcy	NW	0.518	3523	1825	0.197908509	1.28%	\$219,019			
Sebastian	W	0.328	45300	14858	0.156531292	1.01%	\$173,228			
Sevier	SW	0.4	5708	2283	0	0.00%	\$0			
Sharp	WR	0.453	7211	3267	0.314055262	2.03%	\$347,555			
Stone	WR	0.497	4768	2370	0.255652943	1.65%	\$282,923			
Union	SW	0.41	17989	7375	0.169520898	1.10%	\$187,604			
Van Buren	WR	0.416	6825	2839	0.428764135	2.77%	\$474,500	0.121729283	7.70%	\$347,210.76
Washington	NW	0.394	60151	23699	0.178184808	1.15%	\$197,192			
White	WR	0.39	25148	9808	0.16655184	1.08%	\$184,318			
Woodruff	WR	0.51	3531	1801	0.191586526	1.24%	\$212,023			
Yell	WC	0.408	7922	3232	0.167759389	1.08%	\$185,654			
Totals				412,346	15.47496014	1	\$17,125,671	1.581213676	100.00%	\$4,510,126

Arkansas Action Plan for Disaster Recovery

Appendix F Arkansas Disaster Funds Pre-Application Form

Applicant (City/County):
Mailing Address:
Contact (Mayor/Judge):
Phone:
Project Narrative:
Preliminary Cost Estimate:
Grant Funds Requested:
Matching Funds (if applicable):
Project Readiness and Estimated Construction Start Date:
LMI Percentage:
National Objective (Please circle one): LMI Slum/Blight Imminent Health/Welfare Threat
Expenditure Category (Please circle one): Disaster Relief Long-term Recovery Infrastructure Restoration
Reimbursement Received /Agency (for this project):
Disaster Number(s):
Prepared By:
Date:

APPENDIX G Signed Waivers

Request for waivers for 2008-2 (IKE) CDBG disaster recovery

(Note: This request does not preclude a State from requesting additional waivers.)

Collectively, these waivers will help the State carry out its disaster recovery programs by streamlining the application process, enabling a quicker program launch, and ensuring accountability using a reporting system tailored to disaster recovery grants. The waivers will also allow expanded ability of the state to run expeditious flood buyout and recovery programs.

1. Waive overall benefit from 70 percent to allow 50 percent low/mod overall.
2. Waive requirement to distribute all funds to local governments. Replace with permission for the State to carry out activities directly. Do conforming changes below.
 - Waive recordkeeping requirement. Replace with a conforming change to waiver 2.
 - Waive change of use of real property requirement. Replace with a conforming change to waiver 2.
 - Waive State review and handling of noncompliance. Replace with a conforming change to waiver 2.
3. Waive the Consolidated Plan and consistency with it until grantee updates the plan priorities.
4. Waive Annual Action Plan and use of IDIS. Replace with Action Plan for Disaster Recovery using Disaster Recovery Grant Reporting (DRGR) system.
5. Waive hearings if they are not feasible and streamline citizen participation to allow “reasonable” notice.
6. Waive consultation with non-entitlement local governments. Replace with consultation with all disaster-affected governments including entitlements.
7. Waive pre-agreement costs, to the extent it applies. Replace with HUD permission for the State to reimburse eligible costs incurred back to the incident date.
8. Waive prohibition on funding entitlement communities and Indian tribes. Replace with permission to do so.
9. Waive annual performance report (CAPER) in IDIS. Replace with quarterly reports (per appropriations Act) in DRGR.
10. Waive standard certifications. Replace with a disaster recovery set.
11. Replace the State CDBG planning related requirements of 570.483(b)(5) and (c)(3) with the entitlement CDBG presumption at 24 CFR 570.208(d)(4) .
12. Waive provisions necessary to allow the State to determine disposition of program income, whether to State or local use and whether for regular CDBG or retaining disaster recovery waivers. Current law and rule requires local government retention and regular CDBG program.

Arkansas Action Plan for Disaster Recovery

13. Waive provisions necessary to allow new construction of housing.
14. Waive provisions necessary to allow homeownership assistance to persons whose incomes are up to 120 percent of median income (supports mixed income housing).
15. Limited waiver of anti-pirating to allow a business to return to any labor market within the same State that the business was located in before the disaster.
16. Waive the one-for-one replacement of housing requirement.
17. Waive provisions necessary to allow the state to implement voluntary flood buyouts to help communities affected by flooding to move in whole or in part out of a floodplain.

State and Agency: ARKANSAS ECONOMIC DEVELOPMENT COMMISSION

Name and title of authorized requestor: BASIL JULIAN - GRANTS DIVISION DIRECTOR

Signature of authorized requestor: 

Date: 12/9/08

(Scan the signed and dated document into a PDF file and email it to Disaster_Recovery@hud.gov. Also, mail the signed and dated original to the cognizant HUD office.)

Appendix H

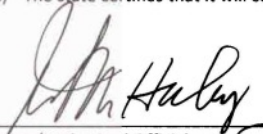
CERTIFICATIONS FOR STATE GOVERNMENTS, WAIVER AND ALTERNATIVE REQUIREMENTS

In accordance with the applicable statutes and the regulations governing the consolidated plan and the Supplemental Appropriations Act, 2008, the State certifies that:

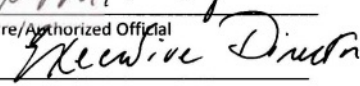
- a) The state certifies that it will affirmatively further fair housing, which means that it will conduct an analysis to identify impediments to fair housing choice within the state, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting the analysis and actions in this regard. (See 24 CFR 570.487 (b) (2).)
- b) The state certifies that it has in effect and is following a residential anti-displacement and relocation assistance plan in connection with any activity assisted with funding under the CDBG program.
- c) The state certifies its compliance with restrictions on lobbying required by 24 CFR Part 87, together with disclosure forms, if required by that Part.
- d) The state certifies that the Action Plan for Disaster Recovery is authorized under state law and that the state, and any entity or entities designated by the state, possesses the legal authority to carry out the program for which it is seeking funding, in accordance with applicable HUD regulations and this Notice.
- e) The state certifies that it will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR Part 24, except where waivers or alternative requirements are provided for this grant.
- f) The state certifies that it will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701 u), and implementing regulations at 24 CFR Part 135.
- g) The state certifies that it is following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.115 (except as provided for in notices providing waivers and alternative requirements for this grant), and that each unit of general local government that is receiving assistance from the state is following a detailed citizen participation plan that satisfies the requirements of 24 CFR 570.486 (except as provided for in notices providing waivers and alternative requirements for this grant).
- h) The state certifies that it has consulted with affected units of local government in counties designated in covered major disaster declarations in the nonentitlement, entitlement and tribal areas of the state in determining the method of distribution of funding.
- i) That state 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, and restoration of infrastructure in areas covered by a declaration of major disaster under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) as a result of recent natural disasters.
 2. With respect to activities expected to be assisted with CDBG disaster recovery 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 disaster recovery funds shall principally benefit low- and moderate-income families in a manner that ensures that at least 50 percent of the amount is expended for activities that benefit such persons during the designated period.

Arkansas Action Plan for Disaster Recovery

4. The state will not attempt to recover any capital costs of public improvements assisted with CDBG disaster recovery 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) The state certifies that the grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the Fair Housing Act (42 U.S.C. 3601-3619) and implementing regulations.
 - k) The state certifies that it has and that it will require units of general local government that receive grant funds to certify that they have adopted and are enforcing:
 - 1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent 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 non-violent civil rights demonstrations within its jurisdiction.
 - l) That state certifies that each state grant recipient or administering entity has the capacity to carry out disaster recovery activities in a timely manner, or the state has a plan to increase the capacity of any state grant recipient or administering entity that lacks such capacity.
 - m) The state certifies that it will not use CDBG disaster recovery funds for any activity in an area delineated as a special flood hazard area 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.
 - n) The state certifies that it will comply with applicable laws.



Signature/Authorized Official

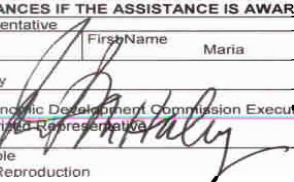


Title

03-09-09
Date

Arkansas Action Plan for Disaster Recovery

Appendix I SF-424

APPLICATION FOR FEDERAL ASSISTANCE		Version 7/03														
1. TYPE OF SUBMISSION: Application <input type="checkbox"/> Construction <input checked="" type="checkbox"/> Non-Construction		2. DATE SUBMITTED 3. DATE RECEIVED BY STATE 4. DATE RECEIVED BY FEDERAL AGENCY														
5. APPLICANT INFORMATION Legal Name: State of Arkansas		Applicant Identifier State Application Identifier Federal Identifier														
Organizational DUNS: Address: Street: One Capitol Mall City: Little Rock County: Pulaski State: Arkansas Zip Code: 72201 Country: United States		Organizational Unit: Department: Arkansas Economic Development Commission Division: Name and telephone number of person to be contacted on matters involving this application (give area code) Prefix: First Name: Basil Middle Name: Last Name: Julian Suffix: Email: bjulian@arkansasedc.com														
6. EMPLOYER IDENTIFICATION NUMBER (EIN): 71-6043654		Phone Number (give area code): 501-682-7392 Fax Number (give area code): 501-682-1209														
8. TYPE OF APPLICATION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es) (See back of form for description of letters.) Other (specify):		7. TYPE OF APPLICANT: (See back of form for Application Types) A (State) Other (specify):														
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: TITLE (Name of Program): CDBG 14-218		9. NAME OF FEDERAL AGENCY: U.S. Department of Housing & Urban Development 11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT: CDBG 14-218														
12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.): Statewide		14. CONGRESSIONAL DISTRICTS OF: a. Applicant: Statewide b. Project: 1, 2, 3, 4														
13. PROPOSED PROJECT Start Date: March 13, 2009 Ending Date: N/A		16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS? a. Yes: <input type="checkbox"/> THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON DATE: b. No: <input checked="" type="checkbox"/> PROGRAM IS NOT COVERED BY E. O. 12372 <input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW														
15. ESTIMATED FUNDING: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>a. Federal</td> <td style="text-align: right;">\$ 20,294,857.⁰⁰</td> </tr> <tr> <td>b. Applicant</td> <td style="text-align: right;">\$.⁰⁰</td> </tr> <tr> <td>c. State</td> <td style="text-align: right;">\$.⁰⁰</td> </tr> <tr> <td>d. Local</td> <td style="text-align: right;">\$.⁰⁰</td> </tr> <tr> <td>e. Other</td> <td style="text-align: right;">\$.⁰⁰</td> </tr> <tr> <td>f. Program Income</td> <td style="text-align: right;">\$.⁰⁰</td> </tr> <tr> <td>g. TOTAL</td> <td style="text-align: right;">\$.⁰⁰</td> </tr> </table>		a. Federal	\$ 20,294,857. ⁰⁰	b. Applicant	\$. ⁰⁰	c. State	\$. ⁰⁰	d. Local	\$. ⁰⁰	e. Other	\$. ⁰⁰	f. Program Income	\$. ⁰⁰	g. TOTAL	\$. ⁰⁰	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT? <input type="checkbox"/> Yes if "Yes" attach an explanation. <input checked="" type="checkbox"/> No
a. Federal	\$ 20,294,857. ⁰⁰															
b. Applicant	\$. ⁰⁰															
c. State	\$. ⁰⁰															
d. Local	\$. ⁰⁰															
e. Other	\$. ⁰⁰															
f. Program Income	\$. ⁰⁰															
g. TOTAL	\$. ⁰⁰															
18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.																
a. Authorized Representative Prefix: First Name: Maria Last Name: Haley Title: Arkansas Economic Development Commission Executive Director Signature of Authorized Representative: 		Middle Name: Luisa M. Suffix: Telephone Number (give area code): 501-682-1121 Date Signed: 03-09-09														
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