

## **NON-HOUSING PROJECT ELIGIBILITY GUIDELINES**

For an infrastructure project to be eligible to receive funds from this Disaster Recovery Program, it must have one of these two major elements, *AND* must meet the eligibility criteria for project type listed below.

### **1) It received damage as a result of Hurricane Ike/ Dolly**

*Examples:* A road was submerged in water; bridge destroyed or received damage; pump station was submerged; building collapsed/damaged.

### **2) It failed to function as a result of Hurricane Ike/ Dolly**

Please note that these specific projects must be (a) an existing facility that *failed to function* OR (b) a facility that would have *prevented infrastructure failure*.

*Example A:* A lift station failed to function because power went out, leading to potential health and safety issues. This program could provide a generator to ensure this incident would not occur again.

*Example B:* A community had sheltering needs it could not fulfill: If a community center lacked emergency power or shower for evacuees, it would be eligible for new construction, if evacuees were without shelter.

*Example C:* A water system was insufficient in capacity or pressure to provide service as a result of the disaster. A study could be necessary here to assess the appropriate infrastructure required, along with improvements to system supply or capacity (including pipe size).

**Eligible public infrastructure projects include utilities, drainage, transportation, and community shelter facilities.**

**Fire and police stations ARE eligible under this program.**

These improvement projects are intended to *improve and/or ensure health and safety* for the community during a time of natural disaster. By way of providing funding to harden and fortify local infrastructure, this program also aims to *improve and/or ensure economic development* for rural communities that is sustainable. Sustainable, in this case, refers to improvements that will withstand a future event (i.e. a generator for a sanitary sewer lift station).

Federal funds **cannot** be used for matching of other federal funds. In other words, HUD funds cannot be used for matching FEMA funds. However, TxCDBG funds may target eligible improvements above and beyond FEMA eligible improvements.

***Projects that are NOT eligible:***

- Government buildings that are used for conducting general conduct of government (city, county) business (for example: city hall, county courthouse)  
*EXCEPTION:* If the government building has a joint use, such as a community center or a shelter. In this situation, a pro-rated share would be given for the shelter portion of the building.
- Emergency Operations Centers (or EOC's) are NOT eligible.

**As stated in the 2009/2010 TxCDBG Community Development Guide, the following are:**

**ELIGIBLE ACTIVITIES**

Refer to Section 105(a) of the Housing and Community Development Act (HCDA) of 1974, as amended, for information regarding activities that are generally eligible under the Texas Community Development Block Grant (TxCDBG) Program.

Some of the possible TxCDBG eligible activities include:

- Water System Improvements
- Wastewater System Improvements
- Drainage Improvements
- Gas System Improvements
- Road / Street Improvements
- Fire Protection Facilities
- Accessibility Improvements to Public Buildings
- Solid Waste Disposal / Landfills / Transfer Stations
- Community / Senior / Social Service Centers
- Shelters For Persons With Special Needs

Additional guidance and further definition concerning eligible and ineligible activities for some of the TxCDBG eligible activities included in Section 105(a) of the HCDA is located on the agency website at [www.orca.state.tx.us](http://www.orca.state.tx.us)

**INELIGIBLE ACTIVITIES**

In general, any type of activity not described or referred to in Section 105(a) of the Housing and Community Development Act of 1974, as amended, is ineligible for consideration for TxCDBG funding. Specific activities which are ineligible under the TxCDBG Program include:

- A. Construction of buildings and facilities used for the general conduct of government (e.g., city halls and courthouses).
- B. The financing of political activities.
- C. Purchase of equipment.
- D. Income payments.
- E. Most operation and maintenance expenses. The federal regulation states that the operation and general maintenance of public works or facilities are generally ineligible activities.

**Additional eligible project examples:**

**\*\*Remember, must be IKE/ DOLLY RELATED.** If a ditch always flooded, but did not flood during Ike, it is NOT eligible under this program.

**\*\*This is NOT a complete list.** There could be an underlying issue leading to the problem that must be explored and included as part of the project.

TYPE OF PROJECT	EXAMPLE
<b>Transportation</b>	
Transportation Study	<p>Insufficient capacity for evacuation, other failure resulting in a re-evaluation of the system in order to develop an appropriate design. TxDOT system projects are <b>NOT</b> eligible.</p> <p>Portion of a full roadway system destroyed – evaluation needed to assess what needs to be replaced.</p>

TYPE OF PROJECT	EXAMPLE
<b>Transportation</b>	
Road	<p>Subgrade, base, or surface failure. May have a drainage component creating this issue. Could result from being submerged, flooding, emergency equipment load created damage.</p> <p><u>Submerged roads criteria</u> – If a road has been submerged for a period of 24 hours or greater, there is a high probability that it has suffered significant damage that will result in a failure of the roadway. This damage may not currently be evident. This project should be assessed visually with special consideration of the impacts of being submerged – determine the linear limits of submergence and the time frame – assess completely.</p>
Bridge	Bridge structure can be improved to withstand future storm (wood to concrete, design of structure, etc.) if it was damaged by Ike.
Traffic Signal	Damaged, destroyed
Intersection	See Road and traffic signal. Barrier during evacuation (on evacuation route)
Sign	Damaged, destroyed
Railroad Crossing Signal Upgrade	Damaged, destroyed, failed to function
Railroad Crossing	Damaged, destroyed
<b>Drainage</b>	
Drainage Study	Need to study area/system drainage needs and problems in order to properly design projects. This would apply to a network of ditches, channels, pipe network if they flooded during Ike.

Storm Sewer System	Damaged, destroyed, or failed to function as designed.
Drainage Channel	Damaged, destroyed, or failed to function as designed.
Culvert (i.e., Box Culvert, Bridge Culvert)	Damaged, destroyed, or failed to function as designed.
Detention/Retention Facility	Needed to mitigate flooding, debris

TYPE OF PROJECT	EXAMPLE
<b>Drainage (continued)</b>	
Coastal Restoration	Erosion, destruction of existing erosion-prevention material, improvement to harden existing system.  One project had heavy rip rap to armor the coast line that was completely washed out of place, thus allowing severe erosion – new project would include a concrete seawall to fortify the wall and protect the adjacent roadway from future damage/destruction
<i>Buy-out</i>	<i>Buy-outs of homes, businesses, property resulting from flooding only on a case-by-case basis where HMGP not an option.</i>
Floodwall or Seawall	This includes a seawall to armor the coast line or a floodwall that would act as a barrier. Include levees here and note appropriately.
<b>Building Facilities</b>	
Shelter	For citizens; need generator
Health/Medical Center	Damaged/destroyed, need generator
Library	Damaged/destroyed ( <b>no</b> generator)
Community Center	Damaged/destroyed, need generator if used as a shelter
Public Works Building	Eligible for damage/destroyed as a result from Ike
Fire Station, Police Station	Damaged/destroyed, need generator
“Pro-rated” facility shared with government facility	If one of the above facilities is shared with a government facility (city hall, county court house), then the amount dedicated to the “eligible” facility will be funded at a pro-rated portion. Sharing might be reflected by the amount of area/square footage for dedicated areas; or if a single room building is used for multiple purposes, consider the amount of time that is dedicated for each purpose. Use judgment based on input from the community.

TYPE OF PROJECT	EXAMPLE
<b>Water/Wastewater</b>	
Water Supply Study	System failed to function or did not exist and requires a study to determine appropriate improvements. System was insufficient in capacity, design, networking, communication, instrumentation, etc.
Water/Wastewater Distribution/Collection Study	System failed to function and requires a study to determine appropriate improvements. System was

	insufficient in capacity, design, networking, communication, instrumentation, etc.
Wastewater Regionalization Study	Components (such as plants) were destroyed by storm surge and should not be replaced in the same location (close to the coastline). Component may be old, small, obsolete and need to regionalize and purchase wholesale from a regional supplier if also damaged or failed to function as designed.
Water Distribution	Damaged during Ike (breaks), insufficient to function properly (pressure, flow) during storm.

<b>TYPE OF PROJECT</b>	<b>EXAMPLE</b>
<b>Water/Wastewater (continued)</b>	
Pump Station	Damaged/destroyed; needs to be raised out of floodplain; Install permanent emergency generator; Improper instrumentation/ controls to operate during emergency; was insufficient in capacity, age, type to operate during emergency and serve community needs.  If new pumps/ motors are required, high-efficiency models will be included and installed above floodplain.
Water Well	Damaged, destroyed.
Water Supply Reservoir	Could have been placed out of order due to inflow of seawater; need barrier wall; need improvements to function properly.
Elevated Water Storage	Damaged/destroyed. Failed to operate properly (pump failure, communication/ SCADA failure, flooding, inadequate piping system, pressure problems)
Ground Water Storage	Damaged/destroyed. Failed to operate properly – pump failure, communication/ SCADA failure, flooding, inadequate piping system, pressure problems, pump/ motor size, type, or elevation (need to raise) problems.
Water Treatment Plant	Submerged or flooded, instrumentation/ control failure, communication failure with other system components (SCADA), damage to any component. Insufficient in type, capacity to function properly.
Wastewater Collection	Damaged during Ike (breaks), was insufficient to function properly (flow) during storm. Consider manhole failure (will bolted and gasketed manholes help keep the system from overloading due to storm surge?) if an issue during Ike.
Wastewater Treatment Plant	Submerged or flooded, instrumentation/ control failure, communication failure with other system components (SCADA failed to function properly, damage to any component. Insufficient in type, capacity to function properly.

TYPE OF PROJECT	EXAMPLE
<b>Water/Wastewater (continued)</b>	
Lift Station	<p>Damaged/destroyed. Needs to be raised out of floodplain; emergency generator; Improper instrumentation/ controls to operate during emergency; Insufficient in capacity, type to operate during emergency and serve community needs.</p> <p>If new pumps/ motors are required, high-efficiency models will be included. May need submersible pumps for a lift station to avoid flooding/ failure or may determine need to raise pumps.</p>
<b>Electrical –</b>	
Service Restoration	See above for systems (water, wastewater, drainage pump station)
Backup Generator	<p>See above for systems (water, wastewater, drainage pump station)</p> <p><b>IMPORTANT NOTE ON GENERATORS –</b> Generators cannot be portable. All equipment eligible for HUD funds must be permanent and fixed.</p>