

#### 4) Populations with Disabilities

The Fair Housing Act prohibits discrimination based on physical, mental, or emotional handicap, provided “reasonable accommodation” can be made. Reasonable accommodation may include physical changes to address the needs of disabled persons, including adaptive structural (e.g., constructing an entrance ramp) or administrative changes (e.g., permitting the use of a service animal).

In 2014, the U.S. Census Bureau introduced a new set of disability questions in the American Community Survey:

- Hearing Disability
- Vision Disability
- Cognitive Disability
- Ambulatory Disability
- Self-care Disability
- Independent Living Disability<sup>44</sup>

Respondents who report any one of the six disability types are considered to have a disability.<sup>45</sup> *Table 25* below indicates that 158,733 individuals in the County were identified as being disabled, which is 8 percent of the County.

2021 American Community Survey 5-Year Estimates calculate income in the past 12 months by disability status for individuals who are 20 to 64 years old. The data indicates that 7,598 individuals had a disability and an income below the poverty level. This population is specifically vulnerable to the impacts of disasters and may be unable to recover without assistance. This population may benefit from access to additional affordable housing resources, and, in many cases, permanent supportive housing may be a viable solution.

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*Table 25 - Florida demographics and disaster impacted populations.*

Demographic	State Estimates	State Percent	Disaster Declaration Estimate	Disaster Declaration (Percent of State Estimates)	County Estimates	County Percent (Percent of Disaster Declaration Estimates)
<b>Total Population</b>	22,244,823	100.00%	12,529,066	56.32%	822,453	6.56%
<b>Under 5 years</b>	1,134,486	100.00%	609,795	53.75%	36,188	5.93%
<b>65 years and over</b>	4,693,658	100.00%	2,816,376	60.00%	239,334	8.50%
<b>Population with a Disability</b>	3,358,968	100.00%	1,919,404	57.14%	158,733	8.27%
<b>White or Caucasian</b>	17,106,269	100.00%	9,960,881	58.23%	711,422	7.14%
<b>Black or African American</b>	3,781,620	100.00%	1,769,705	46.80%	75,666	4.28%
<b>American Indian and Alaska Native</b>	111,224	100.00%	69,600	62.58%	4,112	5.91%
<b>Asian</b>	667,345	100.00%	40,061	61.15%	14,804	3.63%
<b>Native Hawaiian and Other Pacific Islander</b>	22,245	100.00%	15,038	67.60%	822	5.47%
<b>Other</b>	556,120	100.00%	305,781	54.98%	15,627	5.11%

Source: United States Census Bureau Quick Facts, 2022 Population Estimates <sup>91</sup>

\* MID estimates and MID percents are reflective of Lee County data. Lee County is identified as a MID.

<sup>91</sup> <https://www.census.gov/quickfacts/fact/table/FL,US/PST045222>

**5) Racially and Ethnically Concentrated Areas of Poverty (RECAPS)**

A Racially or Ethnically Concentrated Area of Poverty (RECAP) is a geographic area with a significant concentration of poverty and minorities. Areas designated as RECAPs must have a non-white population of 50 percent or more and a poverty rate that exceeds 40 percent or is three or more times the average tract poverty rate for the metropolitan/micropolitan area, whichever threshold is lower.

The Florida Housing Finance Corporation (FHFC) provides an annual report detailing the census tracts deemed as RECAPs within the state of Florida. There is one census tract within the Hurricane Ian MID area of Lee County that is designated as a RECAP. Census Tract 19.17, which is located in census designated place (CDP) Harlem Heights, contains a poverty rate of 40.2 percent and a minority rate (total population identifying as other than non-Hispanic White) of 72.6 percent, per 2021 ACS 5-year estimates.<sup>92</sup>

The County and its subrecipients are aware of this RECAP and other areas of minority concentration and poverty when implementing projects to avoid undue discriminatory effects on historically disadvantaged and underserved populations. By prioritizing benefit to LMI households and areas, the County anticipates that program areas outlined in this Action Plan will have a positive impact on protected class populations.

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<sup>92</sup> Florida Housing Finance Corporation. 2023 Racially and Ethnically Concentrated Areas of Poverty (RECAP) Information. Available at: [https://www.floridahousing.org/docs/default-source/programs/developers-multifamily-programs/competitive/racially-and-ethnically-concentrated-areas-of-poverty-\(recap\)/2023-racially-and-ethnically-concentrated-areas-of-poverty-\(recap\)-information/racially-and-ethnically-concentrated-areas-of-poverty-list-effective-02-01-23.pdf?sfvrsn=ffeaf47b\\_2](https://www.floridahousing.org/docs/default-source/programs/developers-multifamily-programs/competitive/racially-and-ethnically-concentrated-areas-of-poverty-(recap)/2023-racially-and-ethnically-concentrated-areas-of-poverty-(recap)-information/racially-and-ethnically-concentrated-areas-of-poverty-list-effective-02-01-23.pdf?sfvrsn=ffeaf47b_2)

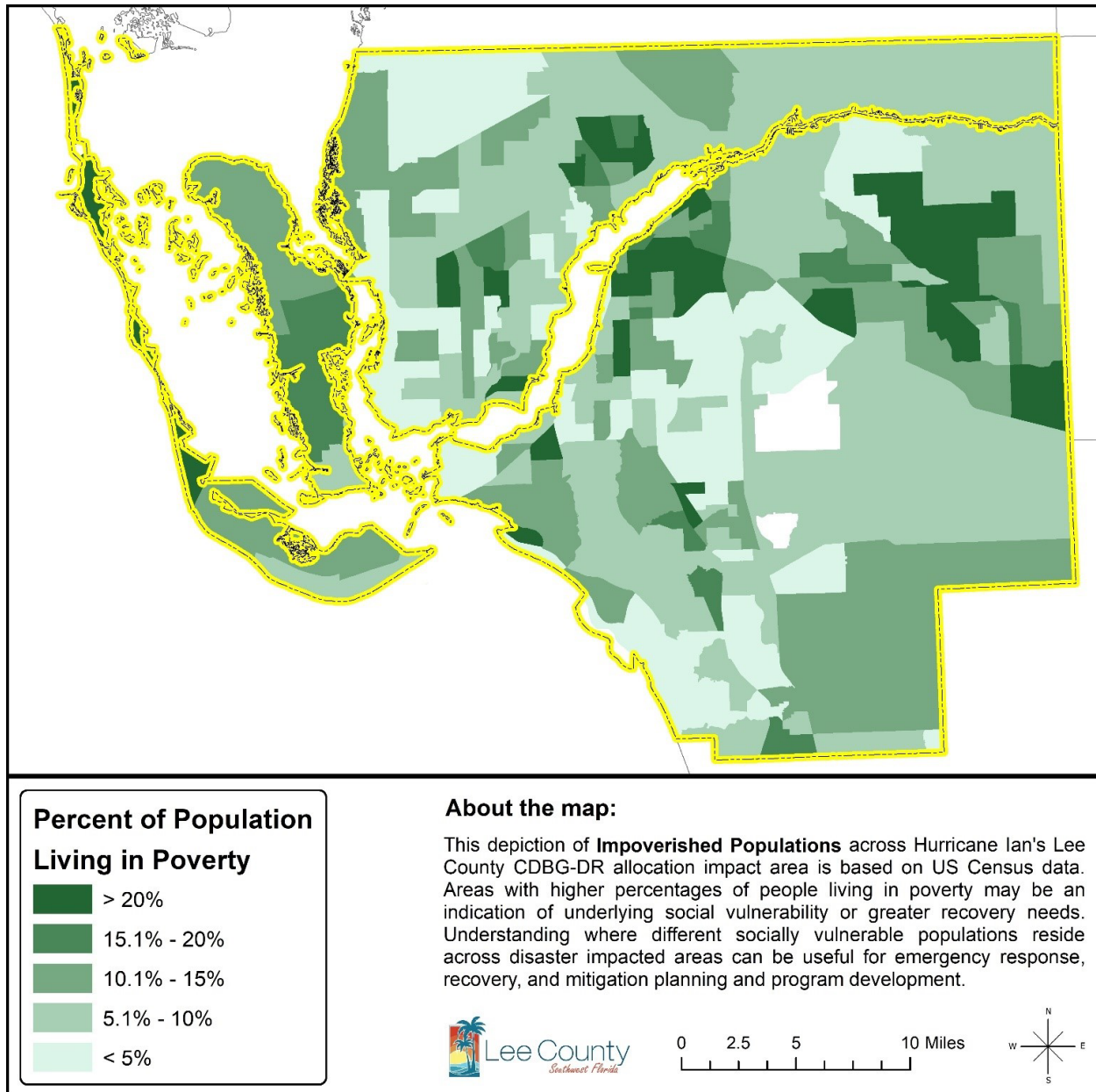


Figure 22 - The percent of population living in poverty in Lee County. <sup>93</sup>

<sup>93</sup> Map generated from Census ACS 2016-2020

[https://data.census.gov/table?q=B17021&g=050XX00US12071\\$1400000](https://data.census.gov/table?q=B17021&g=050XX00US12071$1400000) tract level data for Lee County



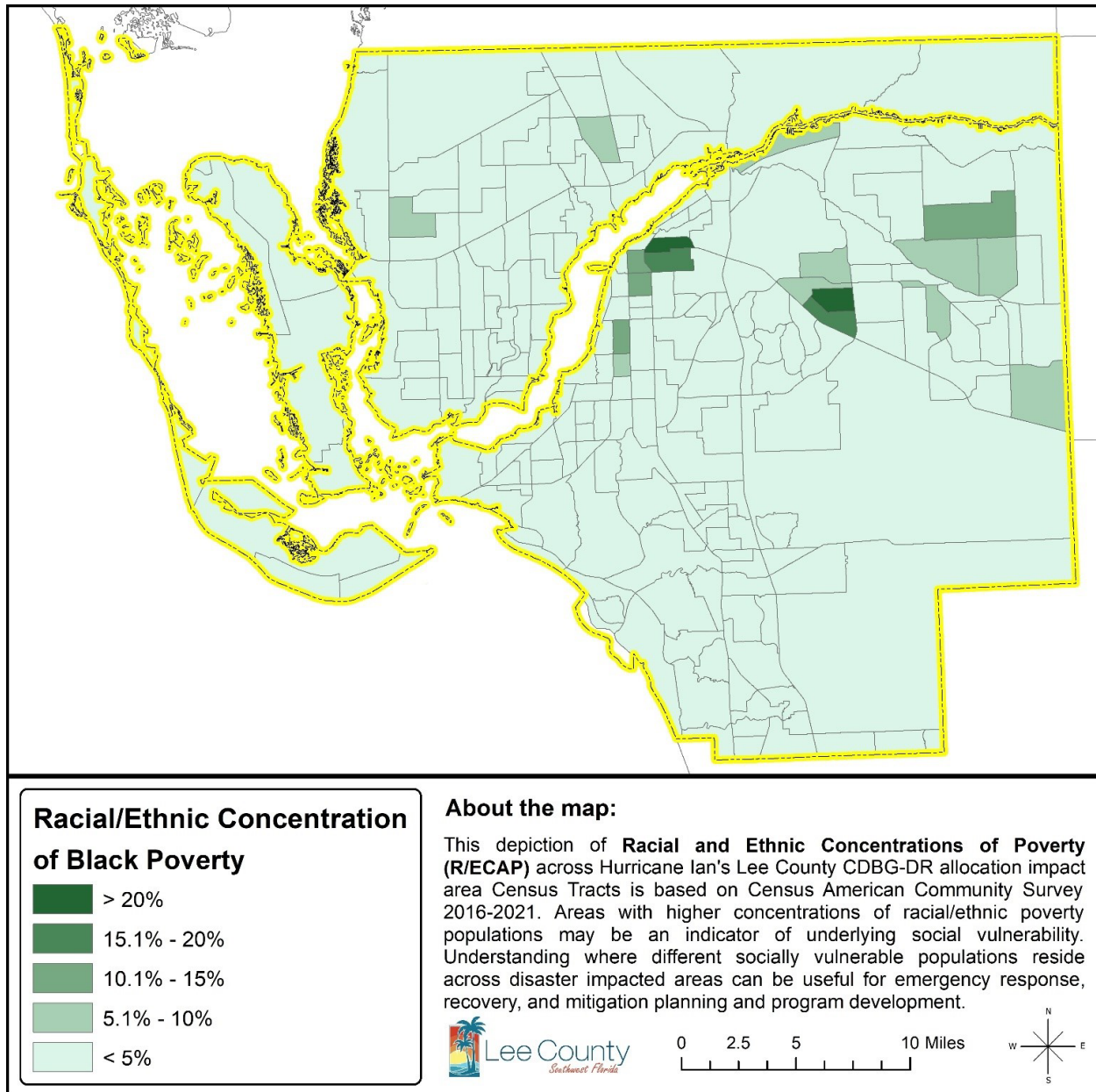


Figure 23 - A map of racial/ethnic concentration of black poverty. <sup>94</sup>

<sup>94</sup> Map generated from Census ACS 2016-2020

[https://data.census.gov/table?q=B17021&g=050XX00US12071\\$1400000](https://data.census.gov/table?q=B17021&g=050XX00US12071$1400000) tract level data for Lee County

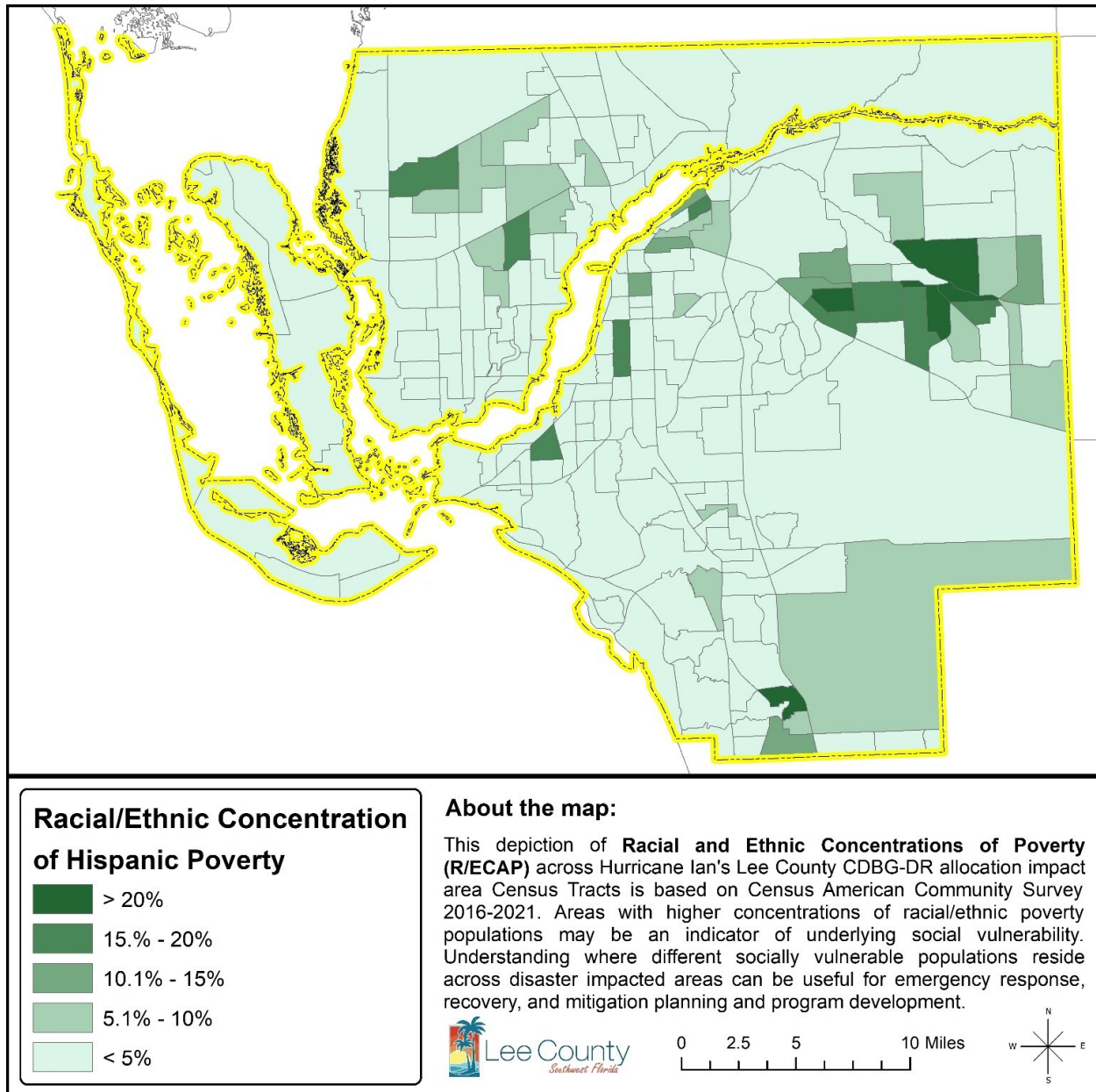


Figure 24 - A map of racial/ethnic concentration of Hispanic poverty.<sup>95</sup>

<sup>95</sup> Map generated from Census ACS 2016-2020

[https://data.census.gov/table?q=B17021&g=050XX00US12071\\$1400000](https://data.census.gov/table?q=B17021&g=050XX00US12071$1400000) tract level data for Lee County

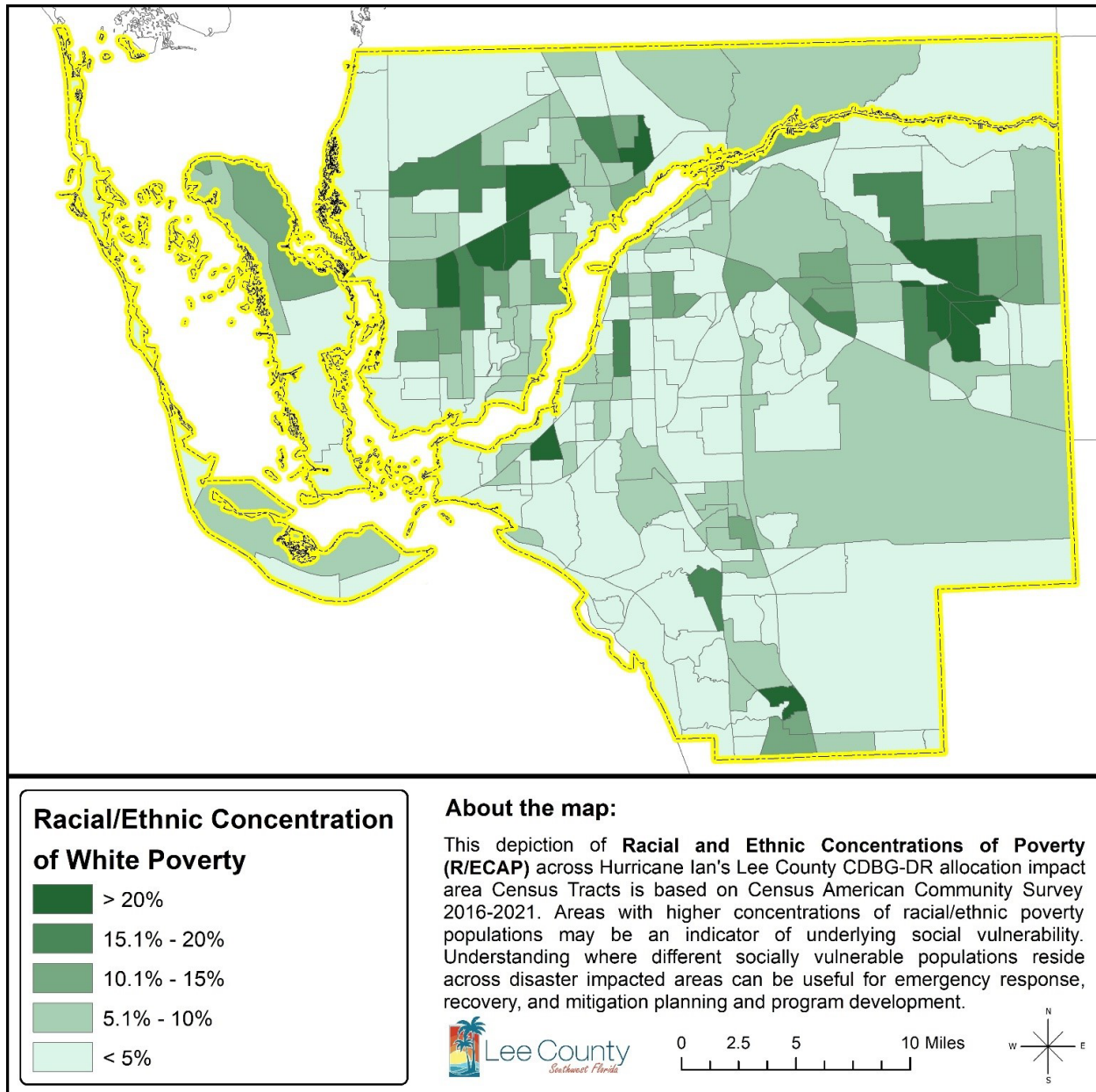


Figure 25 - A map of racial/ethnic concentration of White poverty.<sup>96</sup>

<sup>96</sup> Map generated from Census ACS 2016-2020

[https://data.census.gov/table?q=B17021&g=050XX00US12071\\$1400000](https://data.census.gov/table?q=B17021&g=050XX00US12071$1400000) tract level data for Lee County

### **a. Population with Limited English Proficiency**

LEP persons are defined by the federal government as those with a limited ability to read, write, speak, or understand English. American Community Survey data reports on households in which English is not the primary language spoken at home for the population five years and older.<sup>97</sup> As noted in *Table 34*, 69,811 individuals within the County speak English less than very well. This further reflects the need for the County to adhere to their LEP Plan (as noted above) by coordinating with community organizations and providing resources in multiple forms.

### **b. Housing Impact Cost Burdened Households**

HUD defines housing affordability in terms of the proportion of household income that is used to pay housing costs. Housing is “affordable” if no more than 30 percent of a household’s income is needed for rent, mortgage payments, and utilities. When the proportion of household income needed to pay housing costs exceeds 30 percent, a household is considered “cost burdened.” Severe cost burden is defined as gross housing costs, including utilities, exceeding 50 percent of the households gross income.<sup>98</sup>

According to the Shimberg Center for Housing Studies at the University of Florida<sup>99</sup>, cost burdened households for the County are categorized by the 0-50 percent, 50.01-80 percent, and over 80 percent area median income (AMI) categories. The analysis of the U.S. Census Bureau, 2019 American Community Survey 1-Year Public Use Microdata Sample (PUMS) noted that 5,981 cost burdened households fall into the 0-50 percent AMI category. Roughly 1,747 cost burdened households fall into the 50.01-80 percent group while 2,099 cost burdened households fall into the over 80 percent category. Based on this data, roughly 3,846 cost burdened households are considered severe.

### **c. Persons Experiencing Homelessness**

The Lee County Homeless Continuum of Care (CoC), a collaborative of local municipalities, social service providers and other stakeholders, is tasked with addressing the needs of persons experiencing homelessness. The CoC receives funding from HUD for several homeless assistance programs and is responsible for planning, coordinating, and monitoring the delivery of services

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<sup>97</sup> Lee County Analysis of Impediments to Fair Housing Choice, 2019-2023, page 20, <https://www.leegov.com/dhs/Documents/Fair%20Housing/Final%20PY%202019%20Analysis%20of%20Impediments%20to%20Fair%20Housing%20Choice.pdf>

<sup>98</sup> *ibid.* page 61

<sup>99</sup> [Cost Burdened Households by Income as a Percentage of Area Median income \(AMI\)](#)



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to the homeless. The Lee County Homeless Coalition provides information on the needs, characteristics, number, and location of homeless persons in Lee County.<sup>100</sup>

The County saw an increase in persons experiencing homelessness from 560 persons in 2022 to 857 persons in 2023 as noted in *Table 35* below. In coordination with the County's Human and Veterans Service Department, the Lee County Homeless Coalition estimates that about 857 individuals were homeless in January 2023 (both sheltered and unsheltered). Out of the 857 homeless, 197 were considered chronically homeless, with 109 under the age of 18, a drastic increase from the prior year. The Coalition attributes soaring rents and Hurricane Ian to this increase.<sup>101</sup> Approximately 560 households, reporting as a family with children experiencing homelessness, have contacted Lee County's Coordinated Entry system. Of those, 152 or 27.1 percent cited Hurricane Ian as a reason for the current status of homelessness during their initial contact with Coordinated Entry.<sup>102</sup>

#### **d. Impacts on Low- and Moderate-Income (LMI) Populations**

Disasters can have life-altering impacts especially on low-and moderate (LMI) persons. They are more likely to experience significant and lengthier impacts emphasizing the need for recovery projects to prioritize the protection of and benefit to LMI persons within the County. As per the May 18 Notice, 70 percent of CDBG-DR funds must be spent to benefit LMI persons. As defined by HUD, a household is considered LMI if their annual income is 80 percent of the area median income (AMI). Although there are portions of the County that have significant LMI populations, certain areas have higher concentrations of populations with income below 50 percent AMI. As noted in Figure 26, Fort Myers, North Fort Myers, Cape Coral, and Lehigh Acres contain significant areas of LMI populations with incomes at or below 50 percent of AMI.

As depicted in Figure 26, there are several areas with high concentrations of low- and moderate-income households that experienced FEMA verified loss of greater than \$45,000 per household. The average verified loss exceeds \$70,000 per household in areas on Pine Island, Fort Myers Beach, and along the Caloosahatchee River, where 51 percent or more of the population has a household income of 80% or less of the AMI.

<sup>100</sup> Lee County Analysis of Impediments to Fair Housing Choice, 2019-2023, page 64, <https://www.leegov.com/dhs/Documents/Fair%20Housing/Final%20PY%202019%20Analysis%20of%20Impediments%20to%20Fair%20Housing%20Choice.pdf>

<sup>101</sup> Lee County Homeless Coalition, <https://www.leehomeless.org/2023-census/>

<sup>102</sup> Lee County Human and Veteran Services

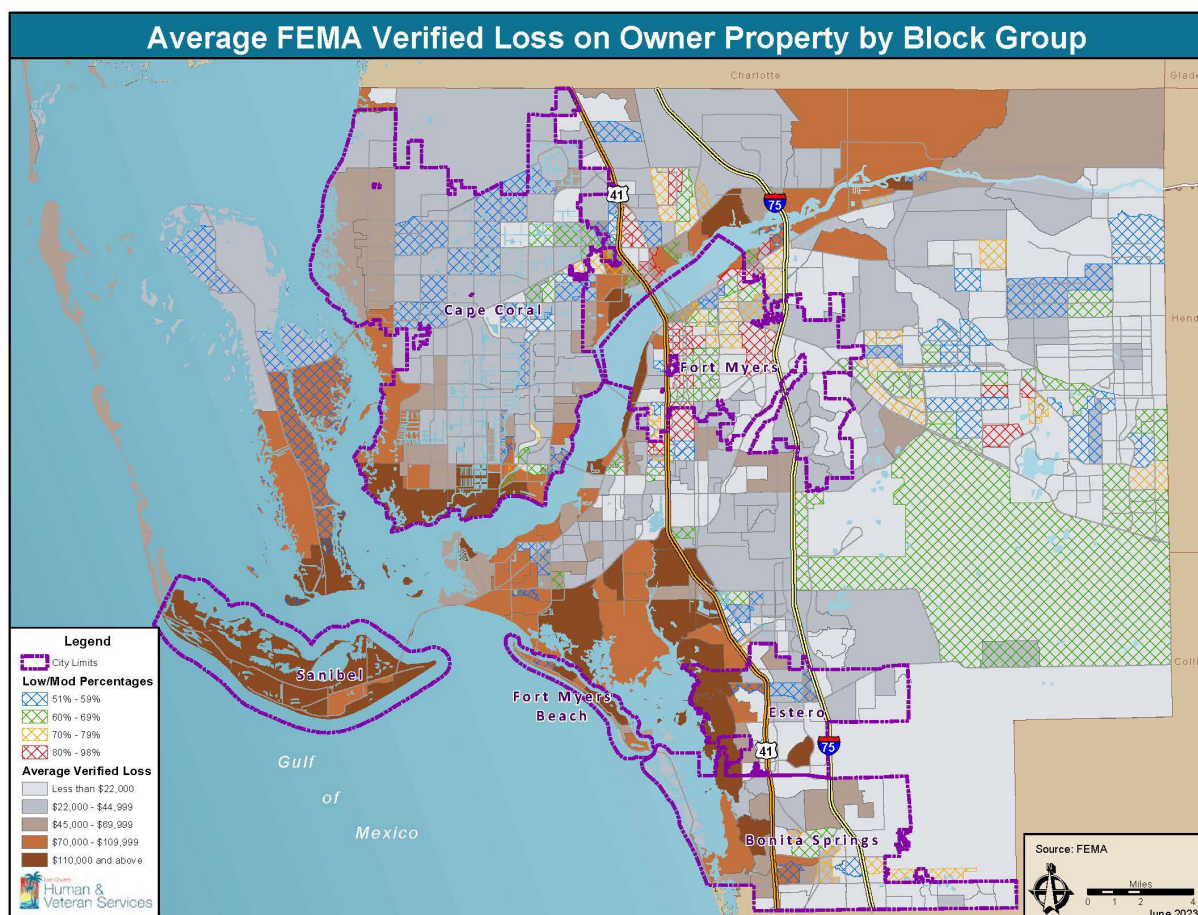


Figure 26- Average FEMA Verified Loss for owner-occupied housing units by block group. FEMA Individual Assistance Data, as of June 20, 2023.

## b) INCOME DEMOGRAPHICS

Table 26 -Median Household and Per Capita Income for the State-wide, Disaster Area, and MID levels.

Income/Economic Demographics	Statewide	Areas Impacted by the Disaster	HUD MIDs
<b>Median Household Income</b>	\$63,062	\$58,921	\$63,235
<b>Per Capita Income</b>	\$36,196	\$33,848	\$32,642

Source: 2021 American Community Survey 5-year Estimates Subject Tables<sup>103</sup>

<sup>103</sup> [https://www.huduser.gov/portal/datasets/il.html#2020\\_data](https://www.huduser.gov/portal/datasets/il.html#2020_data)

## 1) EDUCATION DEMOGRAPHICS

*Table 27 - Education by State, Disaster Area, and MID Area.*

Education	State Estimates	State Percent	Disaster Declaration Estimate	Disaster Declaration Percent	MID Estimates	MID Percent
<b>Population 25 and over</b>	15,762,122	100.00%	8,809,658	100.00%	598,375	100.00%
<b>Less than high school graduate</b>	1,608,543	10.21%	801,300	9.10%	58,255	9.74%
<b>High school graduate or equivalency</b>	4,363,466	27.68%	2,398,309	27.22%	181,266	30.29%
<b>Some college, associate degree</b>	4,563,267	28.95%	2,590,647	29.41%	173,950	29.07%
<b>Bachelor's degree or higher</b>	5,226,846	33.16%	3,019,402	34.27%	184,904	30.90%

Source: 2021 ACS 1-Year Estimates Subject Tables - S1501 EDUCATIONAL ATTAINMENT<sup>104</sup>

## 2) HUD INCOME LIMITS

Proposed CDBG-DR programs and projects must prioritize the protection of low- and moderate-income (LMI) persons and meet HUD's overall LMI benefit requirement. Seventy percent of CDBG-DR funds must be spent to benefit LMI persons. As defined by HUD, LMI households are classified per a gross household income of under 80 percent of Area Median Income (AMI), adjusted for family size.<sup>105</sup>

- Statewide median income as of 2023 in Florida is \$85,500 and a household of four is considered LMI if earning a gross income of \$66,350 or less.<sup>106</sup>
- In Lee County, the median income as of 2023 is \$85,900 and a household of four is considered LMI if earning a gross income of \$68,100 or less.<sup>107</sup>

<sup>104</sup> <https://data.census.gov/table?q=S1501+Florida&g=040XX00US12>

<sup>105</sup> U.S. Department of Housing and Urban Development Office of Planning and Community Development. Laws and Regulations: Low- and Moderate-Income Definitions under the CDBG Program. Available at: <https://www.huduser.gov/portal/datasets/cdbg-income-limits.html>

<sup>106</sup> U.S. Department of Housing and Urban Development, Program Parameters and Research Division. Available at: [https://www.huduser.gov/portal/datasets/il/il2023/2023summary.odn?inputname=STTLT\\*1299999999%2BFlorida&selection\\_type=county&stname=Florida&statefp=12.0&year=2023](https://www.huduser.gov/portal/datasets/il/il2023/2023summary.odn?inputname=STTLT*1299999999%2BFlorida&selection_type=county&stname=Florida&statefp=12.0&year=2023)

<sup>107</sup> U.S. Department of Housing and Urban Development, Program Parameters and Research Division. Available at: [https://www.huduser.gov/portal/datasets/il/il2023/2023summary.odn?inputname=METRO15980M15980%2aCape+Coral-Fort+Myers%2c+FL+MSA&wherefrom=\\$wherefrom\\$&selection\\_type=hmfa&year=2023](https://www.huduser.gov/portal/datasets/il/il2023/2023summary.odn?inputname=METRO15980M15980%2aCape+Coral-Fort+Myers%2c+FL+MSA&wherefrom=$wherefrom$&selection_type=hmfa&year=2023)



### c) INCOME DEMOGRAPHICS – LOW INCOME

*Table 28 - Population with Income Below Poverty Rate at the State-wide, Disaster Area, and MID levels.*

Income/Economic Demographics	Statewide	Areas Impacted by the Disaster	HUD MID
<b>Income in the past 12 months below poverty level</b>	1,042,235	1,435,547	89,578
<b>Total for whom poverty is determined</b>	8,157,420	11,671,552	743,628

Source: *Income in the Past 12 Months (in 2021 inflation-adjusted dollars) – 2021: ACS 5-year Estimates Subject Tables; Poverty Status in the Past 12 Months by Household Type by Age of Householder - 2021: ACS 1-Year Estimates Detailed Tables; Per Capita Income In The Past 12 Months (In 2021 Inflation-Adjusted Dollars) - 2021: ACS 5-Year Estimates Detailed Table*<sup>108</sup>

<sup>108</sup> [https://www.huduser.gov/portal/datasets/il.html#2020\\_data](https://www.huduser.gov/portal/datasets/il.html#2020_data)

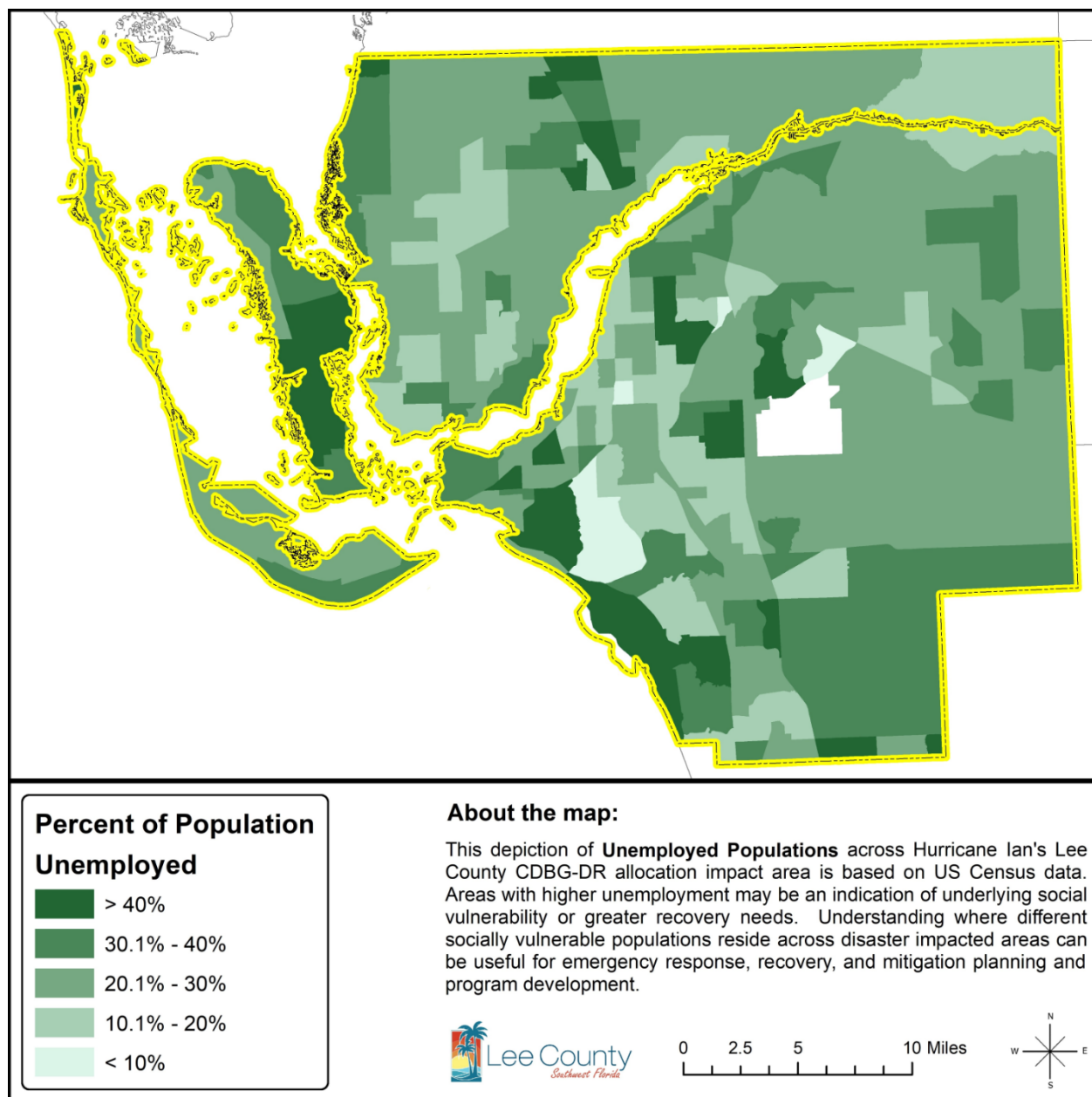


Figure 27 - The percent of population unemployed in Lee County. <sup>109</sup>

<sup>109</sup> Map generated from Census ACS 2016-2020 [https://data.census.gov/table?q=B23022&g=050XX00US12071\\$1400000](https://data.census.gov/table?q=B23022&g=050XX00US12071$1400000) tract level data for Lee County

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# • **SNAP AND D-SNAP APPLICANTS IMPACTED BY DISASTER**

*Table 29 - The SNAP and D-SNAP for Lee County.*

County	# of SNAP Households Impacts	# of SNAP Individuals Impacted	# of Households Issued D-SNAP Benefits	# of Individuals Issued D-SNAP Benefits
Lee County	22,442	22,442	11,112	37,785

Source: United States Department of Agriculture 2018 19th Congressional District<sup>66</sup> & Florida Department of Children and Families<sup>110</sup>

## d) **LMI ANALYSIS – AREA WIDE**

*Table 30 - The LMI populations for Lee County.*

County	Total LMI Population	Total Population	Percent LMI
Lee County	273,093	653,665	41.78%

Source: HUD LMI Data<sup>111</sup>

## e) **LMI ANALYSIS – FEDERALLY DECLARED DISASTER AREA**

*Table 31 - LMI population in the Non-MID and MID Area.*

County	Non-MID-Total LMI Persons	Non-MID-Total Population	Non-MID-Percentage LMI	MID-Total LMI Persons	MID-Total Population	MID-Percentage LMI
Lee County	0	0	0%	273,093	653,665	41.78%

Source: HUD LMI Data

All of Lee County is in the HUD-defined Most Impacted and Distressed area, so the non-MID population is zero for *Table 30*.

*Table 32 - Total LMI Population for Lee County.*

County	Total LMI Disaster Applicants	Total Universe of Disaster Applicants	Percentage LMI	Possible Additional LMI Persons	Possible Additional Percentage LMI
Lee County	113,649	405,711	28.01%	191,767	47.27%

Source: HUD LMI Data

<sup>110</sup> <https://www.fns.usda.gov/pd/supplemental-nutrition-assistance-program-snap>

<sup>111</sup> <https://www.hudexchange.info/programs/acs-low-mod-summary-data/>

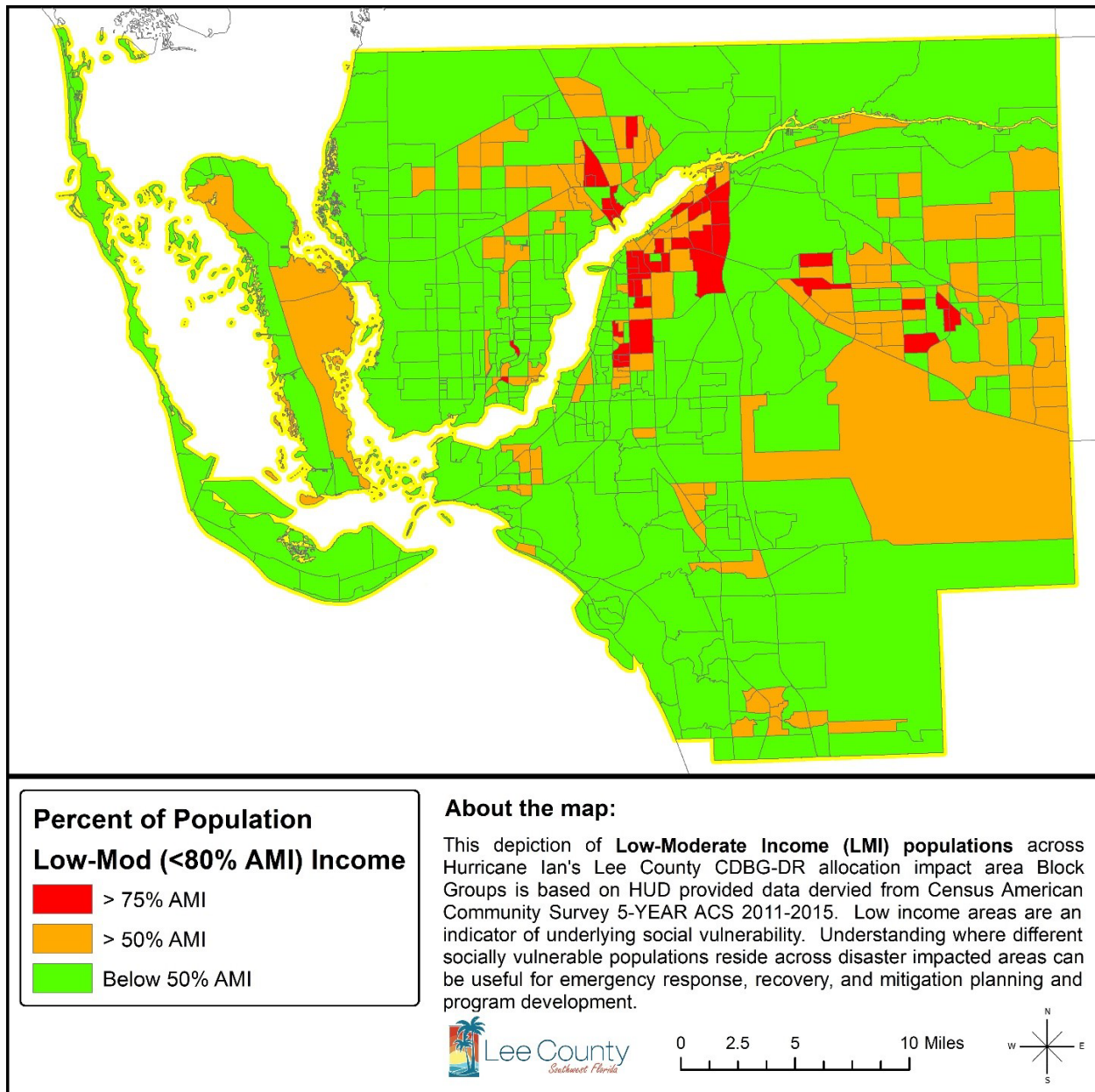


Figure 28 - The percent of LMI populations by census block group for Lee County.<sup>112</sup>

<sup>112</sup> Map generated from data provided by HUD <https://hudgis-hud.opendata.arcgis.com/datasets/low-to-moderate-income-population-by-block-group>

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**f) MANUFACTURED HOUSING UNITS IMPACTED BY DISASTER**

*Table 33 - The percentage of manufactured housing units in Lee County.*

County	Number of Units	% of Total Units in County Impacted	Remaining Unmet Need
<b>Lee County</b>	20,452	52.91%	\$73,215,791

Source: Open FEMA Individual Assistance Valid Registrant Dataset as of 5/9/2023<sup>113</sup> and 2021 ACS 5-Year Estimates Subject Tables - DP04 SELECTED HOUSING UNITS<sup>114</sup>

<sup>113</sup> <https://www.fema.gov/openfema-data-page/individuals-and-households-program-valid-registrations-v1>

<sup>114</sup> <https://data.census.gov/table?q=DP04&g=050XX00US12071&tid=ACSDP5Y2021.DP04>

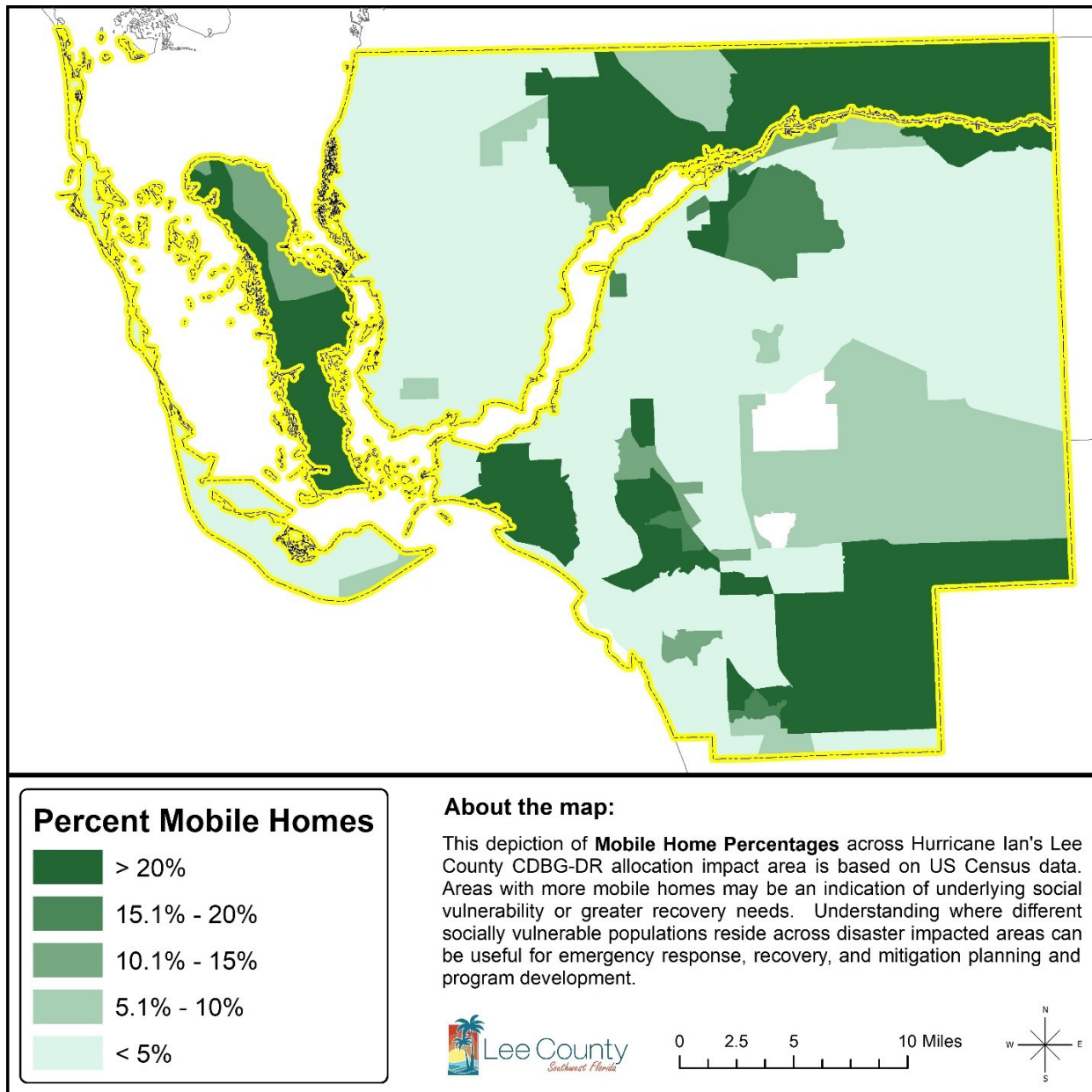


Figure 29 - The percentage of mobile homes by census tract. <sup>115</sup>

Figure 30 further reflects the mobile home counts in the County. Areas with mobile home counts greater than 400 are concentrated on Pine Island, Fort Myers, North Fort Myers, and Bonita Springs.

<sup>115</sup> Map generated from Census ACS 2017-2021

[https://data.census.gov/table?q=B25024&g=050XX00US12071\\$1400000&y=2021](https://data.census.gov/table?q=B25024&g=050XX00US12071$1400000&y=2021) tract level data for Lee County



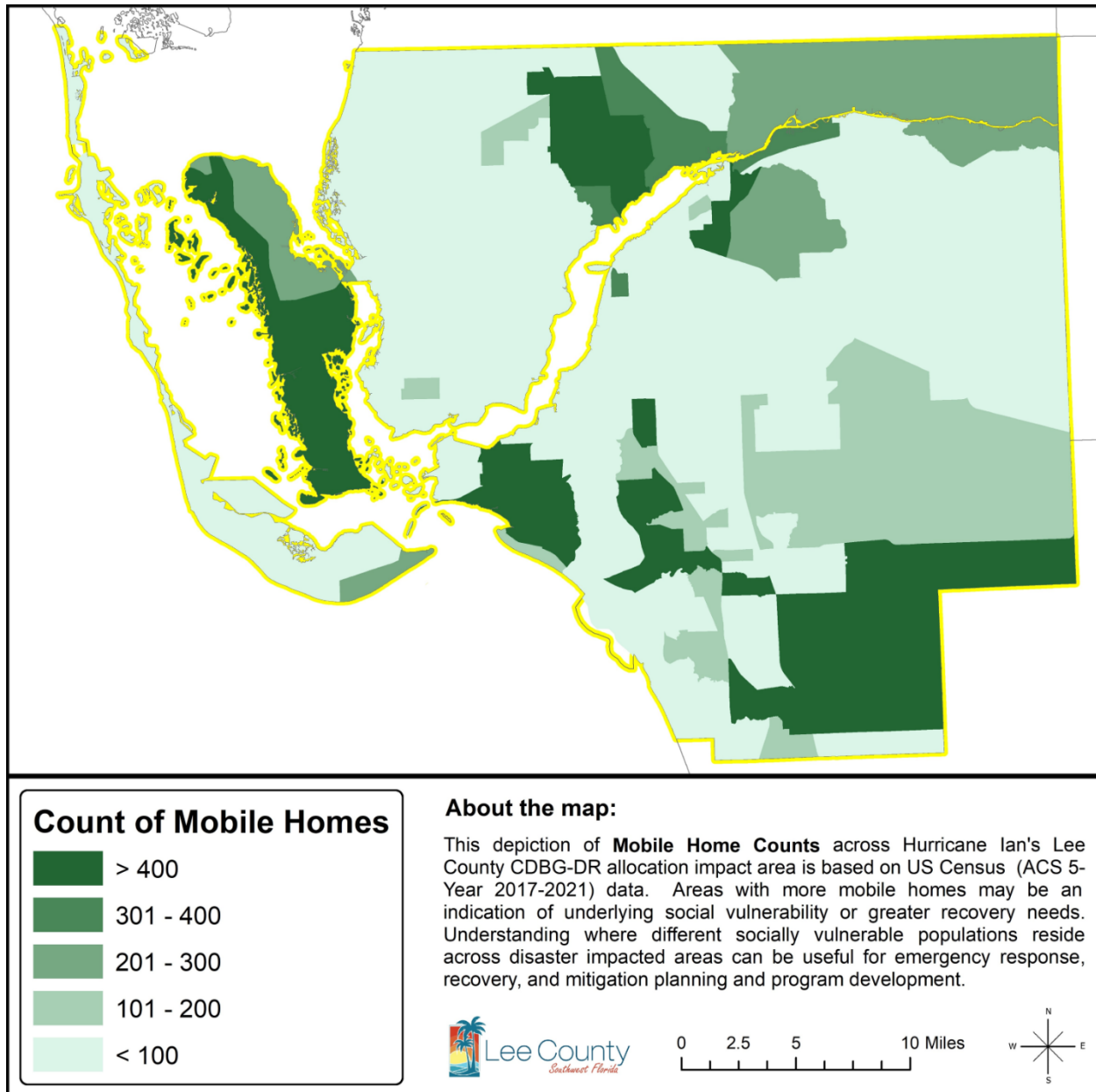


Figure 30 - The Mobile Home Counts in Lee County. <sup>116</sup>

<sup>116</sup> Map generated from Census ACS 2017-2021

[https://data.census.gov/table?q=B25024&g=050XX00US12071\\$1400000&y=2021](https://data.census.gov/table?q=B25024&g=050XX00US12071$1400000&y=2021) tract level data for Lee County

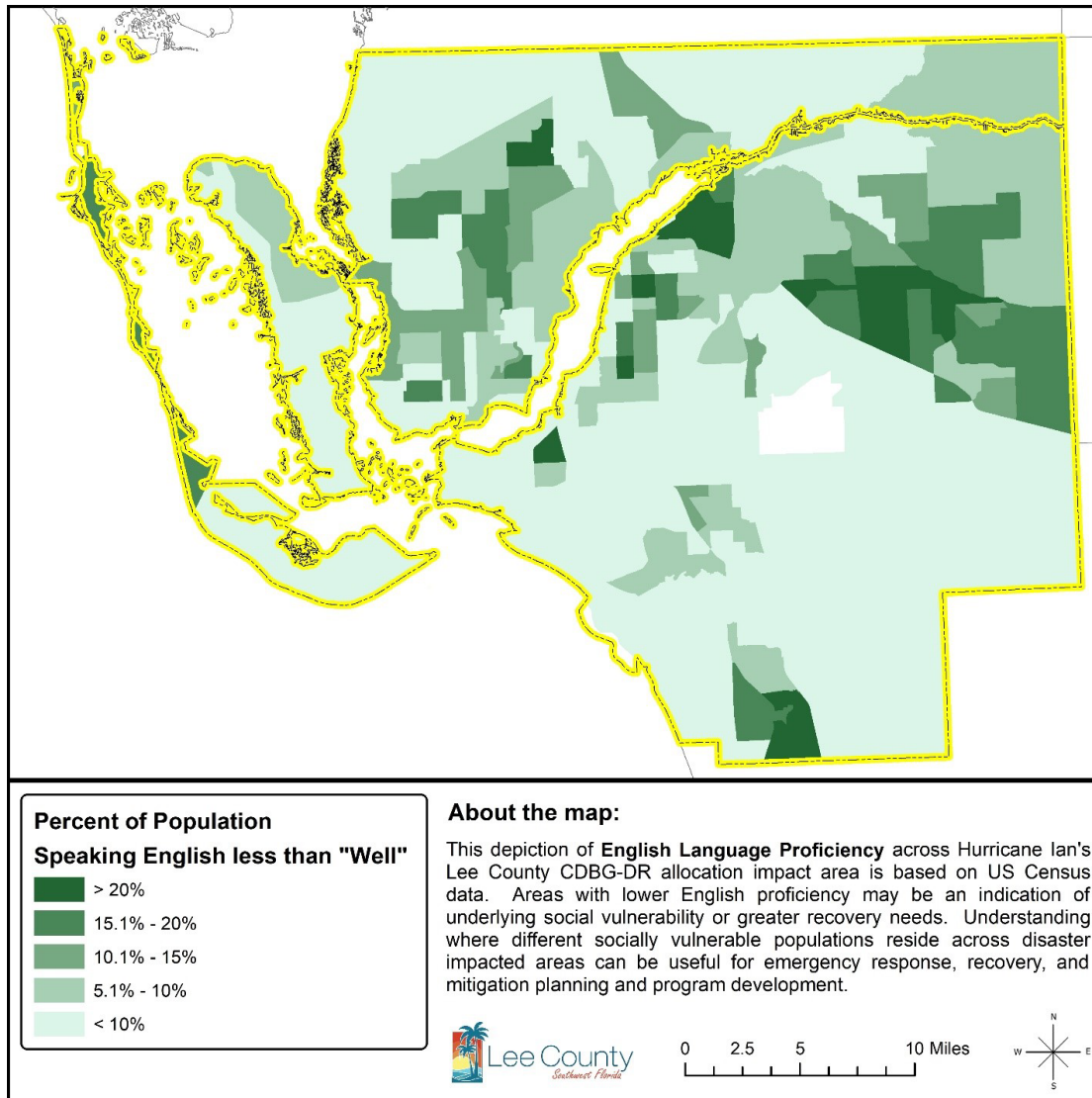


**g) LIMITED ENGLISH PROFICIENCY BREAKDOWN OF DISASTER-RELATED AREAS**

*Table 34 - Individuals that Speak English Less than Very Well in Lee County.*

County	Estimate Speak English Less Than Very Well	Percent Speak English Less Than Very Well
<b>Lee County</b>	69,811	9.72%

Source: 2021 ACS 1-Year Estimates Subject Tables - S1601 LANGUAGE SPOKEN AT HOME<sup>117</sup>



*Figure 31 - The percent population speaking less than "Well" by Census Tract in Lee County.* <sup>118</sup>

<sup>117</sup> <https://data.census.gov/table?q=s1601&g=050XX00US12071&tid=ACSST5Y2021.S1601>

<sup>118</sup> Map generated from Census ACS 2016-2020

[https://data.census.gov/table?q=B06007&g=050XX00US12071\\$1400000&y=2020](https://data.census.gov/table?q=B06007&g=050XX00US12071$1400000&y=2020) tract level data for Lee County

## h) POINT-IN-TIME COUNT – TYPE OF SHELTER

*Table 35 - Point-in-Time Count - Type of Shelter.*

Geography	Emergency Shelter	Transitional Housing	Unsheltered Homeless	Total Known Homeless
Statewide	10,040	4,041	11,746	25,959
<b>FEMA Declared*</b>	5,340	1,985	5,227	12,618
<b>Lee County (MID)</b>	264	0	593	857

Source: 2022 Point In Time Count, HUD Exchange, PIT and HIC Data Since 2007 <sup>119</sup>

\*FEMA Declared Counties do not overlap completely with CoC jurisdictions. The following CoC's were used for the above figures: FL-500, FL-501, FL-502, FL-503, FL-504, FL-506, FL-507, FL-508, FL-512, FL-517, FL-520, FL-602, FL-603, FL-606

## i) POINT-IN-TIME COUNT – IMPACTED BY DISASTER

*Table 36 - The point-in-time count – impacted by disaster.*

County	Emergency Shelter	Transitional Housing	Unsheltered Homeless	Total Known Homeless
Statewide	10,040	4,041	11,746	25,959
<b>FEMA Declared*</b>	5,340	1,985	5,227	12,618
<b>Lee County (MID)</b>	264	0	593	857

Source: 2022 Point In Time Count, HUD Exchange, PIT and HIC Data Since 2007 <sup>120</sup>

\*FEMA Declared Counties do not overlap completely with CoC jurisdictions. The following CoC's were used for the above figures: FL-500, FL-501, FL-502, FL-503, FL-504, FL-506, FL-507, FL-508, FL-512, FL-517, FL-520, FL-602, FL-603, FL-606

## j) ASSISTED HOUSING IMPACTED BY THE DISASTER

*Table 37 - The housing Choice Vouchers, Low Income Housing Tax Credit (LIHTC), and Public Housing Units for Lee County.*

County	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
<b>Lee County</b>	2,231	2,231	3,688	3,688	1,069	1,069	\$16,000,000

Source: [Housing Choice Vouchers by Tract](#) | [Housing Choice Vouchers by Tract](#) | [HUD Open Data Site \(arcgis.com\)](#); [Low-Income Housing Tax Credit Properties](#) | [Low-Income Housing Tax Credit Properties](#) | [HUD Open Data Site \(arcgis.com\)](#); [Public Housing Developments](#) | [Public Housing Developments](#) | [HUD Open Data Site \(arcgis.com\)](#)  
Accessed May 25, 2023

<sup>119</sup> 2022 <https://www.hudexchange.info/resource/3031/pit-and-hic-data-since-2007/>

<sup>120</sup> 2022 <https://www.hudexchange.info/resource/3031/pit-and-hic-data-since-2007/>

# **k) NATURAL AND ENVIRONMENTAL HAZARDS**

Lee County consulted the U.S. Environmental Protection Agency’s EJScreen: Environmental Justice Screening and Mapping Tool to determine the natural and environmental hazards that were potentially impactful to protected classes and vulnerable populations.

The EJ Screen Report for Lee County indicated that there are no superfund sites in Lee County. There are 21 Brownfields, most of which are located within the City of Fort Myers, along Dr. Martin Luther King Jr. Boulevard and Ortiz Avenue.

*Table 38 – EJ Screen Community Report for Lee County, FL*

Sites reporting to EPA within defined area	
Superfund	0
Hazardous Waste, Treatment, Storage, and Disposal Facilities	3
Water Dischargers	3884
Air Pollution	207
Brownfields	21
Toxic Release Inventory	51

Source: Environmental Protection Agency, Environmental Justice Tool, EJ Screen, Accessed July 20, 2023 <sup>121</sup>

EJScreen Environmental and Socioeconomic Indicators Data in *Figure 32* indicates an Air Toxics Cancer Risk slightly higher than the state average, but all other pollution and sources are lower than the state average. Health indicators for Lee County are near the state average, but climate indicators exceed the state average, especially for flood risk. Critical service gaps are identified as housing cost burden, access to transportation, and food deserts.

<sup>121</sup> <https://www.epa.gov/ejscreen>

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SELECTED VARIABLES	VALUE	STATE AVERAGE	PERCENTILE IN STATE	USA AVERAGE	PERCENTILE IN USA
<b>POLLUTION AND SOURCES</b>					
Particulate Matter ( $\mu\text{g}/\text{m}^3$ )	7.4	7.52	40	8.08	29
Ozone (ppb)	59.4	59.4	50	61.6	34
Diesel Particulate Matter ( $\mu\text{g}/\text{m}^3$ )	0.186	0.293	25	0.261	41
Air Toxics Cancer Risk* (lifetime risk per million)	31	27	32	28	35
Air Toxics Respiratory HI*	0.29	0.32	1	0.31	4
Toxic Releases to Air	33	1,900	25	4,600	14
Traffic Proximity (daily traffic count/distance to road)	81	160	47	210	51
Lead Paint (% Pre-1960 Housing)	0.032	0.14	48	0.3	22
Superfund Proximity (site count/km distance)	0.0076	0.13	4	0.13	2
RMP Facility Proximity (facility count/km distance)	0.15	0.31	52	0.43	45
Hazardous Waste Proximity (facility count/km distance)	0.17	0.52	46	1.9	31
Underground Storage Tanks (count/km <sup>2</sup> )	3.3	7	53	3.9	68
Wastewater Discharge (toxicity-weighted concentration/m distance)	0.3	0.52	87	22	87
<b>SOCIOECONOMIC INDICATORS</b>					
Demographic Index	32%	39%	45	35%	54
Supplemental Demographic Index	14%	15%	51	14%	56
People of Color	35%	45%	45	39%	54
Low Income	30%	33%	50	31%	55
Unemployment Rate	5%	5%	57	6%	55
Limited English Speaking Households	5%	7%	64	5%	75
Less Than High School Education	10%	11%	58	12%	58
Under Age 5	5%	5%	55	6%	47
Over Age 64	28%	23%	74	17%	87
Low Life Expectancy	17%	19%	25	20%	24

\*Diesel particulate matter, air toxics cancer risk, and air toxics respiratory hazard index are from the EPA's Air Toxics Data Update, which is the Agency's ongoing, comprehensive evaluation of air toxics in the United States. This effort aims to prioritize air toxics, emission sources, and locations of interest for further study. It is important to remember that the air toxics data presented here provide broad estimates of health risks over geographic areas of the country, not definitive risks to specific individuals or locations. Cancer risks and hazard indices from the Air Toxics Data Update are reported to one significant figure and any additional significant figures here are due to rounding. More information on the Air Toxics Data Update can be found at: <https://www.epa.gov/haps/air-toxics-data-update>.

<b>HEALTH INDICATORS</b>					
INDICATOR	HEALTH VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Low Life Expectancy	17%	19%	25	20%	24
Heart Disease	7.9	7.2	66	6.1	81
Asthma	8.5	8.7	42	10	11
Cancer	7.9	6.9	72	6.1	86
Persons with Disabilities	13.6%	13.9%	53	13.4%	57

<b>CLIMATE INDICATORS</b>					
INDICATOR	HEALTH VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Flood Risk	52%	26%	82	12%	96
Wildfire Risk	40%	32%	65	14%	85

<b>CRITICAL SERVICE GAPS</b>					
INDICATOR	HEALTH VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Broadband Internet	11%	13%	52	14%	49
Lack of Health Insurance	13%	13%	59	9%	79
Housing Burden	Yes	N/A	N/A	N/A	N/A
Transportation Access	Yes	N/A	N/A	N/A	N/A
Food Desert	Yes	N/A	N/A	N/A	N/A

 Figure 32 – EJScreen Environmental and Socioeconomic Indicators Data, Lee County, FL<sup>122</sup>
<sup>122</sup> <https://www.epa.gov/ejscreen>

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To evaluate environmental factors for CDBG-DR funded projects and activities, including those evaluated by the Environmental Justice tool, Lee County complies with the environmental requirements for 24 CFR 58. This environmental review process provides a mechanism to identify potential environmental conditions that may impact affected populations, including members of protected classes, vulnerable populations, and underserved communities. The reviews also consider means to mitigate adverse impacts or provide alternate assistance in the recovery process. At a minimum, every project site is inspected and evaluated for potential hazardous materials and contamination, giving specific attention to any proposed site on, or in the general proximity of, industrial corridors, waterways, EPA superfund sites, brownfields, leaking underground storage tanks, etc. In addition, the review will consider proximity to hazardous facilities which store, handle, or process hazardous substances as part of the decision-making and mitigation processes.

Tier 1 Environmental Reviews will be conducted in accordance with 24 CFR 58 for Lee County. Site-specific reviews will be conducted to further evaluate certain factors during the Tier 2 reviews as outlined in the Tier 1 reviews. For all projects that do not meet the scope of the tiered reviews, separate environmental reviews in accordance with 24 CFR 58 will be conducted. Lee County will prioritize safe, decent, and affordable housing for vulnerable populations, protected classes, and underserved communities.

Lee County will execute resiliency planning methods that incorporate data analyzed via social vulnerability as well as public involvement. Resiliency planning will incorporate measures to strategically align resources to drive resilience, especially those that provide protection for the most vulnerable, consistent with HUD's direction to Affirmatively Further Fair Housing.

Storm and flood-related risk often corresponds with a high level of social vulnerability, compounding the impact of flood events with the challenges of poverty, educational disparities, and housing insecurity for many minority and vulnerable populations. This Action Plan shows the social vulnerability across the county, as well as exposure to flood, storm, and coastal hazards. Recovery can have long-term negative impacts on household wealth, mental health, and community cohesion. Moreover, as illustrated by the Social Vulnerability Index (SoVI®) and vulnerability analysis, many of Lee County's most disaster-prone and historically impacted geographies are co-located with pockets of vulnerable populations, including concentrations of poverty and populations of various racial and ethnic disparity.

## C. INFRASTRUCTURE UNMET NEED

### 1. DISASTER DAMAGE AND IMPACTS – INFRASTRUCTURE

As Hurricane Ian made landfall on Sept. 28, 2022, it became clear that the Category 4 storm would drastically change the landscape of critical and public infrastructure in the County. The infrastructure systems affected by Hurricane Ian's widespread damage included damage to energy systems, roadways, bridges, traffic controls, water and wastewater treatment systems, septic systems, cell towers, and voice and data services. Transportation was hazardous as water and debris, including many boats, blocked roads; there were downed trees and power lines, and traffic lights were out. Both the Sanibel Causeway (see [Figure 33](#)) and the Matlacha Pass Bridge were severely damaged during the storm; until repairs were made, those barrier island areas were inaccessible by car. Public facilities such as hospitals and schools experienced damage. Some local hospitals evacuated patients because the building had no running water. Lee County schools were impacted; 119 suffered minor damages, 14 suffered significant damage.<sup>123</sup> Community resources were closed, some for many months, due to damage including homeless shelters, domestic violence shelters, the local behavioral health crisis stabilization unit, and libraries. Both navigable waterways and drainage canals required debris removal efforts. Beaches, parks, and preserves received significant damage during Hurricane Ian, including damage to natural features, park structures, and amenities. Post-storm emergency management response teams documented the status and monitored the systems as clean-up or temporary repairs were completed.

The widespread and significant damages described above, assisted in identifying the County's unmet infrastructure needs as \$3 billion. [Table 39](#) represents the estimated total unmet needs broken out by each Infrastructure program and is further explained in the following sections.

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<sup>123</sup> [Southwest Florida school district targeting mid-October for reopening after Hurricane Ian](#)



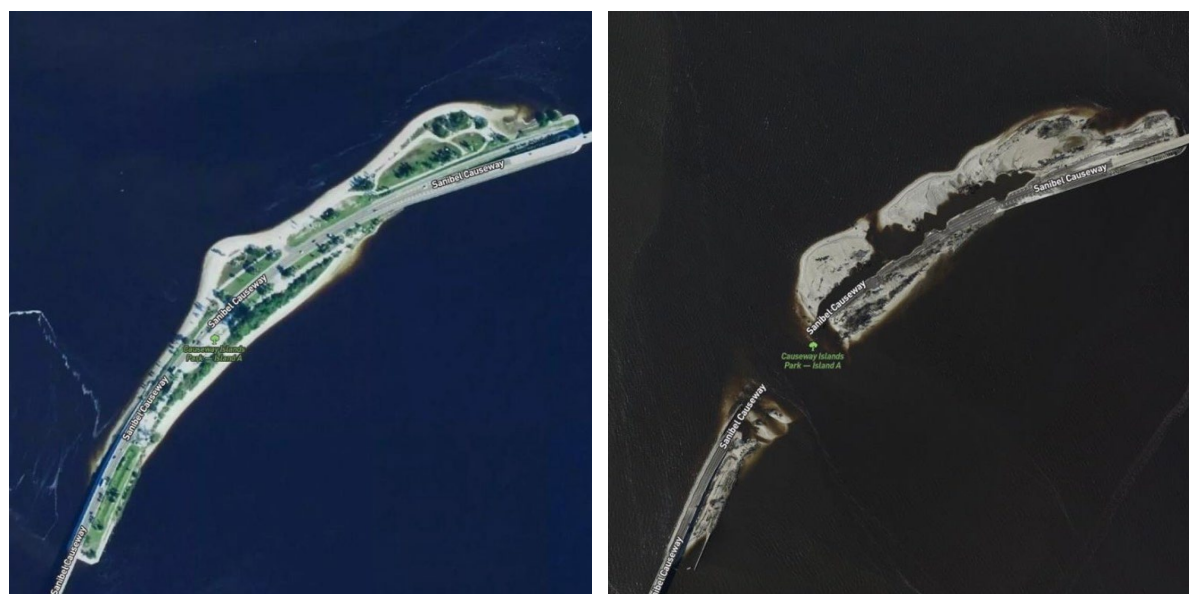
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*Table 39 - A summary of infrastructure unmet need by program.*

Infrastructure Unmet Need by Program	Estimated Number of Projects	Estimated Unmet Need
PA (Cat C-G) Non-Federal Cost Share*	942	\$288,647,344
HMGP Non-Federal Cost Share	167	\$377,069,006
FHWA Non-Federal Match	7	\$85,860,842
Lee County Non-Match Projects	47	\$491,667,060
Municipality Project Submissions**	75	\$1,797,381,358
<b>Total</b>	<b>1238</b>	<b>\$3,040,625,610</b>

\*PA Non-Federal Cost Share (25%) + Resiliency (+30%) + Building/Materials (+38%)

\*\*An estimated portion of the Lee County Recovery Task Force infrastructure project submissions were included based on a preliminary CDBG-DR eligibility review.



*Figure 33 - Before and after imagery of a portion of the Sanibel Causeway, showing the damage of Hurricane Ian*<sup>124</sup>

The following paragraphs describe the impact and unmet needs related to Hurricane Ian's impacts to infrastructure in the County. Specific references are made to infrastructure damage and challenges to recovery, with an emphasis on FEMA Public Assistance (PA) non-Federal cost share, FEMA Hazard Mitigation Grant Program (HMGP) non-Federal cost share, the Federal Highway Administration (FHWA) non-Federal Match, and non-match projects not covered by other grant sources.

<sup>124</sup> NOAA Remote Sensing Division and <https://storms.ngs.noaa.gov/storms/ian/index.html#17/26.4797/-82.02219>



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For Hurricane Ian, cost share percentages are as follows:

- **FEMA PA Non-Federal Cost Share:** The Federal share of assistance is 75 percent of the eligible project cost, requiring the local government to contribute the remaining 25 percent in cost share.
- **FEMA HMGP Non-Federal Cost Share:** The Federal share of assistance is 75 percent of the eligible project cost, requiring the local government to contribute the remaining 25 percent in cost share.
- **FHWA Non-Federal Match:** The Federal share of assistance is 80 percent of the eligible project cost, requiring the local government to contribute the remaining 20 percent in cost share.

The County has identified significant unmet needs for non-match projects. The County intends to implement a range of eligible CDBG-DR projects, such as utility repair, road repair, sewer extensions, and stormwater drainage improvements. Additional non-match projects were identified by Lee County's Recovery Task Force, which engaged local partners in identifying unmet needs throughout the County.

## 2. TOTAL COST AND NEED BY FEMA PA CATEGORY

FEMA's Public Assistance (PA) Program provides supplemental grants to state, tribal, territorial, and local governments, and certain types of private non-profits so that communities can quickly respond to and recover from major disasters or emergencies. Due to the catastrophic impact of Hurricane Ian across the County, data supports the need for a FEMA PA non-Federal cost share program. The County is in the process of documenting Hurricane Ian's severe damage to public facilities and infrastructure across the local municipalities. *Table 40* breaks down the FEMA PA sites and costs distributed by PA Category within the County. Category E – Building and Equipment, has the highest cost at an estimated \$338,078,327 with a total of 537 sites followed by Other under Category G. As per the data, the unmet needs for the non-federal cost share, Categories A through G, are estimated at \$236,782,757. Due to the nature of this program, Lee County anticipates that some of the specific needs included in the public assistance will have had a particular urgency, including existing conditions posing a serious and immediate threat to the health and welfare of the community. A further breakdown of PA projects is in *Appendix A*.

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*Table 40 - The estimated cost per FEMA PA Category A-G.*

PA Category	Estimated Number of Damaged Sites (#)	Estimated Total Cost (\$)	Estimated Federal Cost Share (75%)	Estimated Non-Federal Cost Share (25%)
A – Debris*	93	\$245,404,160	\$198,466,146	\$46,938,014
B – Emergency Measures*	166	\$204,720,421	\$175,771,633	\$28,948,789
C – Roads and Bridges	23	\$13,190,530	\$9,892,897	\$3,297,632
D – Water Control Facilities	30	\$16,149,821	\$12,112,366	\$4,037,455
E – Public Buildings and Equipment	537	\$338,078,327	\$253,558,746	\$84,519,581
F – Utilities	63	\$148,867,827	\$111,650,870	\$37,216,957
G – Other	289	\$127,297,316	\$95,472,987	\$31,824,329
<b>Total</b>	<b>1201</b>	<b>\$1,093,708,402</b>	<b>\$856,925,645</b>	<b>\$236,782,757</b>

\*CDBG-DR funds are generally not used for damage identified in categories A and B.

Source: FEMA May 2023<sup>125</sup>

<sup>125</sup> <https://www.fema.gov/openfema-data-page/public-assistance-funded-projects-details-v1>

*Table 41 – The estimated Cost per PA Applicant Type Categories A-G.*

Applicant Type	Estimated Federal Cost Share (75%)	Estimated Non-Federal Cost Share (25%)	Estimated Total Cost (\$)
City or Township Government	\$347,316,010	\$96,244,054	\$443,560,063
County Government	\$221,174,474	\$54,709,033	\$275,883,507
Nonprofit with 501C3 IRS Status	\$60,269,034	\$17,608,420	\$77,877,453
Nonprofit without 501C3 IRS Status	\$2,278,773	\$685,272	\$2,964,045
Public/Indian Housing Authority	\$10,747,881	\$3,582,627	\$14,330,508
Public/State Controlled Institution of Higher Education	\$11,578,001	\$3,663,299	\$15,241,299
Special District Government	\$206,491,169	\$60,290,054	\$266,781,223
<b>Total</b>	<b>\$859,855,342</b>	<b>\$236,782,758</b>	<b>\$1,096,638,100</b>

\*CDBG-DR funds cannot be used for damage identified in categories A and B.

Source: FEMA May 2023<sup>126</sup>

As noted above, the Federal share of assistance is 75 percent of the eligible project cost, requiring the local government to contribute the remaining 25 percent in cost share. It is yet to be determined for PA projects if a cost share adjustment will be authorized by the Federal government. In accordance with *Florida Statute (F.S.) 252.37 Financing*, “whenever the State of Florida accepts financial assistance from the Federal Government or its agencies under the federal Public Assistance Program and such financial assistance is conditioned upon a requirement for matching funds, the state shall provide the entire match requirement for state agencies and one-half of the required match for grants to local governments<sup>127</sup>.” The County has further broken down the Non-Federal cost share by 12.5 percent to obtain an accurate non-Federal cost share estimate.

<sup>126</sup> <https://www.fema.gov/openfema-data-page/public-assistance-funded-projects-details-v1>

<sup>127</sup> <https://flsenate.gov/Laws/Statutes/2022/0252.37>

*Table 42 - The total estimated non-federal cost share by FEMA PA Category C-G.*

PA Category	Estimated Number of Damaged Sites (#)	Estimated Total Project Cost (Federal and Non-Federal Share)	Estimated Federal Cost Share (75%)	Estimated Non-Federal Cost Share (25%)	Estimated Non-Federal Cost Share (12.5%)
<b>C – Roads and Bridges</b>	23	\$13,190,530	\$9,892,898	\$3,297,633	\$1,648,816
<b>D – Water Control Facilities</b>	30	\$16,149,821	\$12,112,366	\$4,037,455	\$2,018,728
<b>E – Building and Equipment</b>	537	\$338,078,327	\$253,558,745	\$84,519,582	\$42,259,791
<b>F – Utilities</b>	63	\$148,867,827	\$111,650,870	\$37,216,957	\$18,608,478
<b>G – Other</b>	289	\$127,297,316	\$95,472,987	\$31,824,329	\$15,912,165
<b>Total</b>	<b>942</b>	<b>\$643,583,821</b>	<b>\$482,687,866</b>	<b>\$160,895,955</b>	<b>\$80,447,978</b>

Source: FEMA May 2023<sup>128</sup>

As established by HUD in 2013 under the allocation for Hurricane Sandy (78 FR 69104), the County has calculated a 30 percent increase which is used to incorporate resiliency components.<sup>129</sup> Since this resiliency add-on was used in 2013, and subsequently followed by many grantees in their unmet needs assessments to estimate the increased cost of compliance, the County has identified an unmet need of \$209,164,742 as noted in *Table 43*.

According to the Federal Reserve Economic Data Producer Price Index by Industry: Building Material and Supplies Dealers, there has been a consistent cost increase in building materials in recent years. The County compared the price index from May 2020 to April 2023 and notes that it reflects roughly a 38 percent Producer Price Index increase for building materials and supplies dealers.<sup>130</sup> The County has included 38 percent to reflect the increase in materials and supply costs that is anticipated for implementation of these projects.

<sup>128</sup> <https://www.fema.gov/openfema-data-page/public-assistance-funded-projects-details-v1>

<sup>129</sup> "From this base calculation, HUD calculates both the amount not covered by insurance and other federal sources to rebuild back to pre-disaster conditions as well as a 'resiliency' amount which is calculated at 30 percent of the total basic cost to rebuild back the most distressed homes, businesses, and infrastructure to pre storm conditions. The repair unmet needs are combined with the resiliency needs to calculate the total severe unmet needs estimated to achieve long-term recovery." [FR-5696-N-06](#)

<sup>130</sup> Producer Price Index by Industry: Building Material and Supplies Dealers, April 2023, <https://fred.stlouisfed.org/series/PCU44414441>

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As noted in *Table 43*, the building materials increase of 38 percent combined with the 30 percent for increased cost of compliance and resiliency measures and the PA non-Federal cost share unmet need, excluding Categories A and B, is estimated at \$288,647,344. This number includes Categories C through G, roads and bridges, water control facilities, public buildings and equipment, utilities, and other public assistance needs.

*Table 43 -The total Estimated Non-Federal Cost Share (25%) Plus Resiliency and Building/Materials Increase.*

PA Category	Estimated Non-Federal Cost Share (25%)	Resiliency (+30%)	Estimated Non-Federal (25%) + Resiliency	Building / Materials (+38%)	Est. Non-Federal (25%) + Resiliency + Building / Materials
<b>C – Roads and Bridges</b>	\$3,297,633	\$989,290	\$4,286,922	\$1,629,030	\$5,915,953
<b>D – Water Control Facilities</b>	\$4,037,455	\$1,211,237	\$5,248,692	\$1,994,503	\$7,243,195
<b>E – Building and Equipment</b>	\$84,519,582	\$25,355,875	\$109,875,456	\$41,752,673	\$151,628,130
<b>F – Utilities</b>	\$37,216,957	\$11,165,087	\$48,382,044	\$18,385,177	\$66,767,220
<b>G – Other</b>	\$31,824,329	\$9,547,299	\$41,371,628	\$15,721,219	\$57,092,846
<b>Total</b>	<b>\$160,895,955</b>	<b>\$48,268,787</b>	<b>\$209,164,742</b>	<b>\$79,482,602</b>	<b>\$288,647,344</b>

Source: FEMA May 2023<sup>131</sup>

### 3. TOTAL COST AND NEED BY FEMA HMGP PROJECTS

The Hazard Mitigation Grant Program (HMGP) will be a critical part of the long-term recovery process in both rebuilding and protecting vital infrastructure. In addition to the PA unmet need noted above, the County has identified a significant burden on local governments for the HMGP non-Federal cost share. The Federal share of assistance is 75 percent of the eligible project cost, requiring the local government to contribute the remaining 25 percent in cost share. While some HMGP projects may be deemed ineligible for CDBG-DR match assistance, the County will work to identify those projects under mitigation funding for implementation (see Section I program details). *Table 44* outlines that for the 167 projects, there is a HMGP non-Federal cost share unmet need estimated at \$377,069,006. The program’s narrative describes how resilience planning, preparedness, and mitigation measures will be integrated into rebuilding.

<sup>131</sup> <https://www.fema.gov/openfema-data-page/public-assistance-funded-projects-details-v1>

*Table 44 - Total Estimated HMGP Non-Federal Cost Share Unmet Need.*

County	Estimated Number of HMGP Projects (#)	Estimated Total Cost (\$)	Estimated Federal Cost Share (75%)	Estimated Non-Federal Cost Share (25%)
<b>Lee County</b>	167	\$1,508,276,024	\$1,131,207,018	\$377,069,006

Source: Lee County Disaster Advisory Committee May 2023<sup>132</sup>

#### 4. TOTAL COST AND NEED FOR THE FEDERAL HIGHWAY ADMINISTRATION (FHWA) PROJECTS

Hurricane Ian brought significant damage to the County's transportation corridors and was highlighted by the direct destruction of bridges and lifeline networks to the communities. Sections of the Sanibel Causeway, which connects Sanibel Island to mainland Florida, collapsed and were destroyed leaving those on the Island unable to evacuate following Hurricane Ian. The County reported that there were five major breaches resulting in access to the island being cutoff to roughly 6,700 people who call the island home.<sup>133</sup> The Sanibel Causeway is one of seven critical projects that connect communities to evacuation routes and allows access for emergency responders. The County has identified an estimated non-Federal cost share unmet need of \$85,860,842 for those seven projects.

*Table 45 - Total Estimated FHWA Non-Federal Cost Share Unmet Need.*

County	Estimated Number of FHWA Projects	Estimated Total Cost (\$)	Estimated Federal Cost Share (80%)	Estimated Non-Federal Cost Share (20%)
<b>Lee County</b>	7	\$429,304,212	\$343,369,742	\$85,860,842

Source: Lee County Department of Transportation May 2023<sup>134</sup>

<sup>132</sup> List of HMGP projects were provided by the Lee County Disaster Advisory Committee

<sup>133</sup> ["Hurricane Ian destroyed sections of the Sanibel Causeway in Florida, cutting off access to the island community"](#)

<sup>134</sup> List of FHWA projects were provided by the Lee County Department of Transportation

## 5. TOTAL COST AND NEED FOR NON-MATCH PROJECTS

In response to the massive and widespread devastation caused by Hurricane Ian, the Lee County Board of County Commissioners voted to form the Recovery Task Force (RTF) based on the FEMA National Disaster Recovery Framework. The RTF consists of 13 members who serve as liaisons to their communities by gathering input and direction.<sup>135</sup> The County and the RTF requested that each jurisdiction submit their project-related unmet needs.

The County coordinated with the RTF to collect this information and received a series of non-match projects. Through the RTF, the jurisdictions submitted approximately 148 infrastructure projects with \$4.2 billion in estimated costs. Based on a preliminary review, some of these projects will not be eligible for CDBG-DR funding because of no storm tie-back or LMA benefit. To estimate the unmet needs for infrastructure using the RTF project submissions, Lee County has chosen a conservative estimate by including projects with unmet needs that appear to have a storm tie-back and benefit low- and moderate-income households. Additionally, a third of the projects that may have a storm tie-back and benefit low- and moderate- income populations (additional information would be needed) were included. The selection was limited to one third to not overstate the unmet needs. Based on the preliminary review of RTF projects and the logic above, unmet needs of \$1,797,381,358 were identified through RTF project intake.

In addition to the submissions noted above, the County conducted a preliminary review of projects identified by County departments that may be eligible due to the tie back to Hurricane Ian or as mitigation projects. Based on the preliminary review of those projects, unmet needs of \$491,667,060 were identified. As programs and projects are built out, the County will work with regional and local partners to identify any non-match planning activities independent of implementation funds as per the Federal Register Notice. This project total for non-match projects comes to \$2,289,048.418.

*Table 46 - Non-Match projects and related unmet need.*

County	Estimated Number of Non-Match Projects	Estimated Unmet Need (\$)
<b>Recovery Task Force Non-Match Intake Project Submissions*</b>	75	\$1,797,381,358
<b>Lee County Non-Match Projects</b>	47	\$491,667,060
<b>TOTAL</b>	<b>122</b>	<b>\$2,289,048,418</b>

Source: Lee County's Recovery Task Force and Lee County department submissions<sup>136</sup>

\*An estimated portion of the Lee County Recovery Task Force infrastructure project submissions were included based on a preliminary CDBG-DR eligibility review.

<sup>135</sup> <https://www.resilientlee.com/>

<sup>136</sup> Submissions made to the Lee County Recovery Task Form by local jurisdictions.



## D. ECONOMIC REVITALIZATION UNMET NEED

### 1. DISASTER DAMAGE AND IMPACTS – ECONOMIC REVITALIZATION

Through Lee County's consultation process, information was gathered regarding economic revitalization unmet needs. A summary is provided below, along with an analysis of Small Business Administration loans provided to the business community following Hurricane Ian.

#### **Lee County Economic Development Office:**

According to the County's Economic Development Director, a week after Ian:

- 98 percent of all the businesses on Fort Myers Beach were closed.
- 98 percent of the businesses on Sanibel were closed.
- 96 percent of the businesses on Pine Island were closed.
- 45 percent of the businesses in North Fort Myers were closed.
- 38 percent of the businesses in Cape Coral were closed.

Businesses struggled to pay commercial rent/mortgage, suppliers, vendors, and/or workers. In the six months after Hurricane Ian, the County has seen 18,000 jobs added, which reflects a positive trend compared to an average of 10,000 to 15,000 new jobs a year from 2010 to 2020.<sup>137</sup>

As outlined in the *County's Economic Developments Post Ian Economic Health Analysis*, Hurricane Ian was expected to cause declining economic conditions, but instead it has provided opportunities for revitalization along coastal and vulnerable communities. The analysis references the critical need to allocate CDBG-DR funding for new housing units and the infrastructure to support them.<sup>84</sup>

#### **Lee County Visitor & Convention Bureau:**

The Lee County Visitor & Convention Bureau (VCB) gathered data showing Ian's impact on tourism in the County.

At the time Hurricane Ian landed, Lee County had hotel capacity of 14,320 rooms. As of October 19<sup>th</sup>, 2022, approximately 53 percent of those hotel rooms were closed or not available

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<sup>137</sup> WGPU, "Lee County Economic Development Director John Talmage talks about recovery after Hurricane Ian: Moore About Business" <https://news.wgcu.org/section/business/2023-04-24/lee-county-economic-development-director-john-talmage-talks-about-recovery-after-hurricane-ian-moore-about-business>

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due to Hurricane Ian damage, leaving 6,661 rooms open. With recovery efforts still in process, as of June 29<sup>th</sup>, 2023, the number of hotel rooms available has increased to 9,991 (approximately 70 percent of total available rooms). The vast majority of hotels along the tourist driven beaches remain closed. These rooms command the highest room rate and generate the most Tourist Development Tax (TDT) revenue. As reflected in the charts below, TDT revenues and visitors streams suffered significant losses in late 2022 and early 2023.

- Tourist Development Tax Collections by Quarter (Fiscal Year)

Quarter	FY 2022	FY 2023	% Diff
Q1	\$12,741,439	\$7,375,862	(42%)
Q2	\$27,314,465	\$14,410,732	(47%)

- Visitors by Quarter (Calendar Year)

Quarter	2021	2022	2023	% Diff
Q1		1,126,500	736,300	(35%)
Q4	1,301,600	633,300		(51%)

- Direct Visitor Expenditures by Quarter (Calendar Year)

Quarter	2021	2022	2023	% Diff
Q1		\$1,410,763,600	\$967,837,700	(31%)
Q4	\$959,551,600	\$666,254,300		(31%)

- Room Nights Sold by Quarter (Calendar Year)

Quarter	2021	2022	2023	% Diff
Q1		1,985,900	1,378,600	(31%)
Q4	1,780,000	1,078,500		(39%)

As displayed in the data above, Lee County tourism suffered at minimum a 31 percent reduction in the number of visitors, expenditures by visitors, and the number of room nights sold during

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the first two calendar quarters following Hurricane Ian’s landfall, leading to a reduction in TDT collections of at least 42 percent.

### **Lee County Sports Development:**

Lee County Sports Development gathered data showing the impact of Ian on sports business activities in the County.

From late September 2022 through February 2023, there were 28 sports business events cancelled that equated to 74 event days. This resulted in 49,139 Lee County hotel room nights lost with a direct spending impact of approximately \$24,285,954, based on data from the most recent year the event was hosted in Lee County. Not included in the room nights or the direct spending figures are 6 cancelled events that would have been held in Lee County for the first time. While Sports Development will host all scheduled 2023 sports tourism events, it is estimated that attendance will be reduced by approximately 20 percent from previous years.

The County understands that meeting housing and infrastructure needs will rebuild tourism and increase economic stability. Through recovery task force meetings and consultations, the County has received a substantial number of requests to reduce the non-federal cost share on local municipalities and implement standalone projects. As recovery continues to take place in the County, it is crucial to consider the most effective and efficient use of these funds.

### **Small Business Administration:**

The Small Business Administration (SBA) makes low-cost disaster loans available to qualified businesses. According to SBA, 895 Business/EIDL Loans have been approved (*Table 47*).

*Table 47 - Total Loans Approved by the SBA.*

County	Business/EIDL Loans
Lee County	895

*Source: Small Business Administration Data for Lee County, Disaster 4673, Date: June 18, 2023, Status of Approved.*

Utilizing all SBA business data rather than a sub-set to understand the financial impact to livelihoods provides additional understanding of impacts and recovery across the county. A summary of SBA applicants (*Table 48*) shows a breakdown of all status types for the applications. According to SBA business loan information, *Table 49* summarizes all applicants that had a verified loss by all operational categories, which totals \$881,606,386.

*Table 48 - SBA Application Status Breakdown.*

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Application Status	# of Applications	\$ Verified Losses
Approved	895	\$261,754,886
Auto Decline – Credit	285	\$0
Declined	1187	\$177,185,153
Document Gathering	2	\$0
Duplicate	123	\$0
In Approval	6	\$14,467,571
Late Filing – Not Accepted	91	\$0
LO Recommend Approval	5	\$6,989,492
LO Recommend Decline	1	\$98,555
LO Recommend Withdrawal	1	\$379,131
Not System Recommended	50	\$53,073,024
Withdrawn	1965	\$367,658,573
<b>TOTAL</b>		<b>\$881,606,386</b>

Source: Small Business Administration Data for Lee County, Disaster 4673, Date: June 18, 2023, All Application Status.

Table 49 - Estimating Business Operating Losses.

Operational Category	County of Businesses with Verified Loss	Total Verified Loss
Inventory	Lee County	\$15,821,795
Machinery & Equipment	Lee County	\$48,604,621
Furniture and Fixtures	Lee County	\$66,288,908
Debris Removal	Lee County	\$20,046,991
Personal Property	Lee County	\$82,800
Motor Vehicle	Lee County	\$0
Manufactured Housing	Lee County	\$18,578,164
Real Estate Relocation	Lee County	\$0
Real Estate Repair	Lee County	\$511,200,128
Real Estate Reconstruction	Lee County	\$86,723,167
Landscaping	Lee County	\$50,374,612
Other Land Improvements	Lee County	\$26,027,595
Mitigation	Lee County	\$0
Code Required Elevation	Lee County	\$0
Leasehold Improvements	Lee County	\$37,857,604
<b>TOTAL</b>		<b>\$881,606,386</b>

Source: Small Business Administration Data for Lee County, Disaster 4673, Date: June 18, 2023, All Application Status.

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To help determine unmet economic revitalization needs, the analysis below was completed using data from SBA loan applications. *Table 50* summarizes damage only to real-estate (repair, rebuild, relocate) and contents (machinery, furniture, inventory). Each SBA application was classified into one of five categories based on this estimate of damage and categories defined by HUD. The table shows only approved and declined applications. The sum of verified losses to real estate, furniture, machinery, and inventory results in a total verified loss of \$356,256,005 (M). When accounting for resiliency requirements (30 percent increase) the total impact to businesses in Lee County is \$463,132,807 (N). SBA payouts to businesses totaled \$22,881,900 (P) for these lines of loss, leaving potential unmet needs of \$440,320,907 (Q).

*Table 50 - SBA Derived Impact and Unmet needs for businesses.*

Row	Description	Count	Impact
A	SBA approved applicants with verified HUD Category 1 < \$12,000 Losses	106	\$624,347
B	SBA approved applicants with verified HUD Category 2 \$12,000 - \$29,999 Losses	117	\$2,385,118
C	SBA approved applicants with verified HUD Category 3 \$30,000 - \$64,999 Losses	162	\$7,536,798
D	SBA approved applicants with verified HUD Category 4 \$65,000 - \$149,999 Losses	231	\$23,316,150
E	SBA approved applicants with verified HUD Category 5 >= \$150,000 Losses	234	\$185,645,828
F	SBA approved applicants - No Category	45	\$0
G	SBA declined applicants with verified HUD Category 1 < \$12,000 Losses	259	\$1,435,693
H	SBA declined applicants with verified HUD Category 2 \$12,000 - \$29,999 Losses	176	\$3,586,231
I	SBA declined applicants with verified HUD Category 3 \$30,000 - \$64,999 Losses	186	\$8,476,070
J	SBA declined applicants with verified HUD Category 4 \$65,000 - \$149,999 Losses	222	\$22,074,564
K	SBA declined applicants with verified HUD Category 5 >= \$150,000 Losses	188	\$101,175,206
L	SBA declined applicants - No Category	156	\$0
M	<b>Total Verified Loss (estimate)</b>		<b>\$356,256,005</b>
N	<b>Accounting for an additional 30% in funding needed to support rebuilding to higher standards (resilience)</b>		<b>\$463,132,807</b>
	<b>Duplication of Benefits</b>		

O	Total Amount Distributed by SBA		\$22,811,900
P	<b>Total Benefit</b>		<b>\$22,811,900</b>
	<b>Overall Business Unmet Needs</b>		
Q	<b>Total Verified Loss accounting for 30% resilience addition minus Total Benefit Amounts Distributed by SBA</b>		<b>\$440,320,907</b>

Source: Small Business Administration Data for Lee County, Disaster 4673, Date: June 18, 2023, Application Status of Approved and Declined; Operational Categories: verified loss to repair, rebuild, relocate, machinery, furniture, and inventory. Duplication of benefits from "current" fields in SBA data.

Lee County has determined that the most impactful means by which to support overall economic recovery are included in housing and infrastructure programs. However, the County will continue to evaluate information related to the unmet needs of the business community and collaborate with municipal partners and other stakeholders to assess the feasibility of CDBG-DR programs to support economic revitalization. Consequently, an economic revitalization program could be incorporated into the Action Plan through a substantial amendment.

## E. PUBLIC SERVICE UNMET NEED

### LONG TERM RECOVERY

Lee County understands that wraparound public services and early opportunities for case management following a disaster are critical to complement housing and infrastructure activities. Approximately one month after Hurricane Ian, Lee County's Homeless Continuum of Care relaunched the Coordinated Entry line, as a 24-hour, 7 day per week phone line that conducts assessments and makes referrals to shelter, housing, and services for persons experiencing homelessness. After Hurricane Ian, the role of the line was expanded to conduct unmet needs assessment and assist with service navigation for persons impacted by Hurricane Ian. To date, the Coordinated Entry line has completed 2,417 unmet needs assessments and continues to receive calls daily.

Assessments gathered are referred to the unmet needs long-term recovery group for assignment to case management and any available services necessary to assist in each household's individual recovery. Case management for housing and supportive services is critical for those individuals with disabilities, persons who are elderly, and others who are particularly vulnerable, including, but not limited to, mobility, sensory, developmental, emotional, cognitive, and other impairments. Data for unmet needs is summarized and updated weekly in a dashboard.<sup>138</sup>

To lead the unmet needs long-term recovery effort, Lee County identified Catholic Charities as

<sup>138</sup> <https://www.arcgis.com/apps/dashboards/ce60d6f7cab04f708200551a22082f76>



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the lead organization through a NOFA process conducted in February 2023. Catholic Charities coordinates a group of non-profit organizations that provide individual case management, funding, and housing repairs for disaster victims who are unable to recover without assistance. Lee County will continue to support the efforts of the long-term recovery group through CDBG-DR funds allocated for public services activities.

## **BEHAVIORAL HEALTH**

Interviews and focus groups conducted as part of the 2019 Lee County Gaps Analysis<sup>139</sup> and consultations conducted for the completion of this plan, frequently and consistently, identified the general area of behavioral health (mental health/substance abuse/co-occurring disorders) as a service need for both adults and children/youth. “Using per capita expenditures as the metric, depending upon the source, Florida is often ranked somewhere between 48th and 50th in per-capita funding for mental health services.”<sup>140</sup> The 2019 Gap Analysis noted that access to care is a significant issue nation-wide, and Lee County is no exception.

Lee County is lacking a comprehensive system of care for behavioral health services. This model is sometimes referred to as a continuum of care. The community would benefit from an agency taking the lead to design and implement a coordinated service system for all behavioral health services within Lee County. Planning and implementation for this system and supporting participation to ensure sustainability will be critical to address pre-existing and exacerbated behavioral needs resulting from Hurricane Ian. Simplifying access through coordinated entry to the behavioral health system will also better support individuals with disabilities including, but not limited to, mobility, sensory, developmental, emotional, cognitive, and other impairments.

## **F. MITIGATION ONLY ACTIVITIES**

The widespread devastation by Hurricane Ian on diverse communities creates significant challenges to recovery, but also offers opportunities for transformational mitigation and resilience for future disasters.

As noted in the May 18, 2023, Federal Register, grantees must use 15 percent of their total allocation to fund mitigation activities. Of the \$1,107,881,000 CDBG-DR funds allocated to Lee County, \$144,506,000 was identified as a “CDBG–DR Mitigation set-aside” for mitigation activities. The May 18, 2023 Notice also requires a mitigation needs assessment in the Action

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<sup>139</sup> <https://www.leegov.com/Documents/Human%20Services%20Gap%20Analysis%20DRAFT%202-11-20.pdf>

<sup>140</sup> <https://www.leegov.com/Documents/Human%20Services%20Gap%20Analysis%20DRAFT%202-11-20.pdf>

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Plan that clearly illustrates the connections among impacts of current and future hazards, mitigation needs, and proposed mitigation activities.

To address this challenge, this Action Plan includes:

- A Mitigation Needs Assessment to complement the disaster recovery-focused unmet needs assessment;
- Proposed eligible activities that do not tieback to direct impacts of Hurricane Ian but meet the HUD definition of “mitigation” and are included in the Mitigation Needs Assessment; and
- Descriptions of how mitigation measures have been incorporated into recovery-related construction projects.

Mitigation activities increase resilience to disasters and reduce or eliminate the fiscal and human costs of long-term risk of hazards. These risks include loss of life, injury, damage to and loss of property, and suffering and hardship. Each activity proposed for the mitigation set-aside will:

- Meet the definition of mitigation activities;
- Address current and future risks as identified in Lee County’s Mitigation Needs Assessment;
- Meet eligibility requirements for CDBG activities under Title I of the HCDA or be otherwise eligible pursuant to a waiver or alternative requirement; and
- Meet a national objective.

To validate its CDBG-DR mitigation set-aside, Lee County assessed its ability to ensure continuous operation of indispensable services during a future hazard event. This included examining critical business and government functions, services critical to health and human safety, and economic security for all community members and focusing on preventative actions. Proposed mitigation projects align with other projects funded with CDBG-DR dollars, as well as other disaster recovery activities funded by FEMA, the Federal Highway Administration, the Department of Agriculture Natural Resource Conservation Service, Economic Development Association, the State of Florida, and a variety of private funding sources channeled through local nonprofit service organizations.

Put simply, the goal of mitigation is to make a community safer, stronger, and more capable of recovering from a disaster. Lee County protects its people, neighborhoods, beaches, businesses, and highways with the assistance of mitigation planning and projects including surface water management, coastal protections against wave surge and sea level rise, and response activities for a variety of natural and manmade disasters. In coordination with state and federal agencies,

the County's emergency management experts implement projects that meet standardized mitigation guidance for long-term benefit. The County also analyzes best practices and lessons learned across private and public sectors to help reduce risks and hazards.

In the development of this Action Plan, the County has reviewed its Hazard Identification and Risk Assessment (HIRA), which is produced in compliance with FEMA and Florida Department of Emergency Management requirements. This document guides multijurisdictional development of the Joint Local Mitigation Strategy (LMS) plan to ensure alignment of resources and completion of mitigation projects that have already been identified as necessary to mitigate the impacts of future disasters. This combined effort is the roadmap that guides the County's identification of hazards, assessment of risk, and proposal of mitigation projects that will reduce losses to life and property. The strategy has plans for short-term and long-term projects and is updated every five years. The LMS is adopted by the Lee Board of County Commissioners, each Lee County municipality, and Florida Gulf Coast University and is approved by FDEM and FEMA.

## 1. METHOD

The State of Florida has been at the forefront of mitigation planning and the identification of resiliency opportunities for many years. Florida administrative code 27P-22 requires the State as well as each County to develop mitigation planning documents to identify potential hazards, the risk of hazards, and projects to reduce risk to life and property. Florida's 2018 State Hazard Mitigation Plan<sup>141</sup> and Lee County's 2022 LMS plan, as well as the 2023 draft State Hazard Mitigation Plan<sup>142</sup> were used as foundational resources for this assessment. The County most recently updated its Hazard Identification and Risk Assessment (HIRA)<sup>143</sup> in 2022 to categorize the risk of hazards. Data related to historical hazards and the cost of hazard impacts was provided by the National Oceanic Atmospheric Association (NOAA), United States Geological Survey (USGS), and FEMA. Mitigation measures for the identified hazard in this assessment were developed by FEMA as part of their library of hazard mitigation documents.<sup>144</sup>

## 2. PRIMARY HAZARD RANKINGS

Lee County has experienced and endured numerous natural disasters in the last five years. During this period, the County has suffered multiple major natural hazards including tropical cyclones, flooding events, major tornadic events as well as man-made or indirect damages from pandemics, cyber-attacks, hazardous material spills, and bridge failures. Despite the County's

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<sup>141</sup> <https://www.floridadisaster.org/dem/mitigation/statemitigationstrategy/state-hazard-mitigation-plan/>

<sup>142</sup> <https://flshmp-floridadisaster.hub.arcgis.com/>

<sup>143</sup> <https://www.leegov.com/publicsafety/Documents/Emergency%20Management/2022%20Hazard%20Identification%20and%20Risk%20Assessment.pdf>

<sup>144</sup> <https://www.fema.gov/grants/mitigation/job-aids>

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ability to recover from disasters, weaknesses remain to be addressed to improve the County's infrastructure resiliency.

Lee County's assessment concludes that funded projects should direct outcomes toward reducing costs resulting from these major hazards:

- Tropical cyclone and storm surge
- Flood
- Tornado
- Wildfire

The assessment also notes that 18 percent of the 548 incidents tracked by NOAA since 1953 occurred in low- to moderate-income areas and 57 percent were in areas given high, medium, or low social vulnerability index ratings by HUD. *Table 51* illustrates the types of hazards that impact Lee County by listing the declared disasters in Florida since 1965. Although all hazards can cause significant disruption to the County, those with long-term impacts include tropical cyclones, storm surge, and flooding as noted in the HIRA. Due to the downing of trees and other vegetation debris, Hurricane Ian also posed a threat of wildfires, which are often a priority hazard during Florida's dry season. Each hazard poses a risk to the residents, property, infrastructure, and/or economy of the community. Proposed mitigation projects can reduce the risks from the hazards identified in this assessment.

*Table 51* provides an historic overview of the Lee County designated presidential declarations and the amount of obligated public assistance to the State of Florida for each event. Recent events currently undergoing PA obligation that have not been closed out may see a change in the total amount of obligated dollars shown in this assessment after closeout. This is raw, unedited data from FEMA's National Emergency Management Information System (NEMIS) and as such, is subject to a small percentage of human error. The financial information is derived from NEMIS and not FEMA's official financial systems.

Since 1965, there have been 22 disaster declarations for Lee County. Eleven of the declarations were for hurricanes, two were for severe and coastal storms, five were for severe freeze, and one was for fire and/or biological hazard.

*Table 51 - The presidential declared disasters since 1965 and the available total obligated public assistance (PA) amount to date.*

Presidential Declaration	Year Declared	Event Type	Declaration Title	Total PA Obligated (\$)
<b>DR-4680-FL*</b>	2023	Hurricane	HURRICANE NICOLE	\$8,976,409.33
<b>EM-3587-FL</b>	2023	Tropical Storm	TROPICAL STORM NICOLE	\$0.00

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Presidential Declaration	Year Declared	Event Type	Declaration Title	Total PA Obligated (\$)
<b>DR-4673-FL*</b>	2022	Hurricane	HURRICANE IAN	\$994,043,998.69
<b>EM-3584-FL</b>	2022	Hurricane	TROPICAL STORM IAN	\$0.00
<b>EM-3561-FL*</b>	2021	Severe Storm	TROPICAL STORM ELSA	\$2,155,318.91
<b>DR-4486-FL*</b>	2020	Biological	COVID-19 PANDEMIC	\$2,595,644,325.60
<b>EM-3432-FL</b>	2020	Biological	COVID-19	\$0.00
<b>EM-3419-FL</b>	2019	Hurricane	HURRICANE DORIAN	\$0.00
<b>FM-5179-FL</b>	2017	Fire	LEHIGH ACRES (ANNA AVE. N.) FIRE	\$81,038.27
<b>DR-4337-FL*</b>	2017	Hurricane	HURRICANE IRMA	\$2,465,946,571.78
<b>EM-3385-FL</b>	2017	Hurricane	HURRICANE IRMA	\$0.00
<b>DR-4068-FL*</b>	2012	Severe Storm	TROPICAL STORM DEBBY	\$48,180,459.23
<b>EM-3288-FL</b>	2008	Severe Storm	TROPICAL STORM FAY	\$8,915,740.63
<b>DR-1785-FL*</b>	2008	Severe Storm	TROPICAL STORM FAY	\$98,294,056.79
<b>FM-2692-FL</b>	2007	Fire	CALLOOAHATCHEE FIRE COMPLEX	\$2,004,861.40
<b>DR-1609-FL*</b>	2006	Hurricane	HURRICANE WILMA	\$1,489,338,542.84
<b>EM-3220-FL</b>	2005	Hurricane	HURRICANE KATRINA EVACUATION	\$3,810,182.41
<b>DR-1561-FL</b>	2004	Hurricane	HURRICANE JEANNE	\$520,033,714.90
<b>DR-1551-FL</b>	2004	Hurricane	HURRICANE IVAN	\$694,779,708.94
<b>DR-1545-FL</b>	2004	Hurricane	HURRICANE FRANCES	\$685,254,867.41
<b>DR-1539-FL</b>	2004	Hurricane	TROPICAL STORM BONNIE AND HURRICANE CHARLEY	\$619,521,235.51
<b>FM-2355-FL</b>	2001	Fire	FL - CALOOSAHATCHEE FIRE COMPLEX	\$959,055.00
<b>DR-1393-FL</b>	2001	Coastal Storm	SEVERE STORMS, TORNADOES AND FLOODING ASSOCIATED WITH TROPICAL STORM GABRIELLE	\$22,990,447.07
<b>DR-1359-FL</b>	2001	Freezing	SEVERE FREEZE	\$0.00
<b>EM-3150-FL</b>	2000	Hurricane	TROPICAL STORM IRENE - FLORIDA	\$547,528.10
<b>EM-3139-FL</b>	1999	Fire	FL-FIRES 04/15/99	\$1,064,337.65
<b>FM-2254-FL</b>	1999	Fire	FL-FIRES 04/13/99	\$1,273,616.40

Presidential Declaration	Year Declared	Event Type	Declaration Title	Total PA Obligated (\$)
<b>EM-3131-FL</b>	1998	Hurricane	HURRICANE GEORGES	\$42,178,183.02
<b>DR-1223-FL</b>	1998	Fire	EXTREME FIRE HAZARD	No Data
<b>DR-1069-FL</b>	1996	Hurricane	HURRICANE OPAL	No Data
<b>DR-851-FL</b>	1990	Freezing	SEVERE FREEZE	No Data
<b>DR-732-FL</b>	1985	Freezing	SEVERE FREEZE	No Data
<b>DR-526-FL</b>	1977	Freezing	SEVERE WINTER WEATHER	No Data
<b>DR-337-FL</b>	1972	Coastal Storm	TROPICAL STORM AGNES	No Data
<b>DR-304-FL</b>	1971	Freezing	FREEZE	No Data
<b>DR-252-FL</b>	1969	Hurricane	HURRICANE GLADYS	No Data
<b>DR-209-FL</b>	1965	Hurricane	HURRICANE BETSY	No Data

\*Declarations not closed out from FEMA's NEMIS database.

Source: FEMA Open Data Declaration Summaries<sup>145</sup>

The National Weather Service (NWS) provides the Storm Events Database through the National Centers for Environmental Information (NCEI), which covers data from October 1953 to November 2022. As stated in Chapter 3 Community Hazards and Risks in the Hazard Identification and Risk Assessment 2022<sup>146</sup>, the weather event records were reported since 1996, as defined in the NWS Directive 10-1605, except for tornado events that were recorded from 1950-1954. Thunderstorm wind and hail events have not been recorded since 1955. The information in the database pertains to storms and weather events that have resulted in a loss of life, injuries, significant property damage, and/or disruption to commerce. The data collection methods for the NCEI Database have varied significantly over time. The records maintained prior to 1993 were extracted from a manually typed Storm Data Publication. From 1993 until now, the digital records of the database have been used to create the Storm Data Publication. However, the estimates for property and crop damage are quite broad.

The NWS makes the “best guess” using all available data. Since 1953, the NCEI database has recorded 648 incidents in Lee County; however, a total of 548 events have actually occurred. If

<sup>145</sup> <https://www.fema.gov/openfema-data-page/disaster-declarations-summaries-v2>

<sup>146</sup> [https://www.ncdc.noaa.gov/stormevents/listevents.jsp?eventType=ALL&beginDate\\_mm=01&beginDate\\_dd=01&beginDate\\_yyyy=1950&endDate\\_mm=06&endDate\\_dd=27&endDate\\_yyyy=2023&county=LEE%3A71&hailfilter=0.00&tornfilter=0&windfilter=000&sort=DT&submitbutton=Search&statefips=12%2CFLORIDA](https://www.ncdc.noaa.gov/stormevents/listevents.jsp?eventType=ALL&beginDate_mm=01&beginDate_dd=01&beginDate_yyyy=1950&endDate_mm=06&endDate_dd=27&endDate_yyyy=2023&county=LEE%3A71&hailfilter=0.00&tornfilter=0&windfilter=000&sort=DT&submitbutton=Search&statefips=12%2CFLORIDA)



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the same event type occurred on the same date, only one event was recorded. *Table 52* provides a summary of these incidents.

*Table 52 - The number of occurrences, fatalities, injuries, and property and crop damage for each of the incidents recorded since 1953.*

Incident Record Type	Number of Occurrences since 1953	Fatalities	Injuries	Property Damage (\$)	Crop Damage (\$)
<b>Tropical Cyclones</b>	12	61	0	\$7,163,255,000.00	\$9,600,000.00
<b>Flooding</b>	39	0	0	\$502,752,500.00	\$0.00
<b>Wildfire</b>	15	0	0	\$103,025,000.00	\$0.00
<b>Tornado</b>	132	1	35	\$44,244,840.00	\$0.00
<b>Severe Weather</b>	344	14	31	\$21,566,000.00	\$2,000.00
<b>Heat</b>	3	3	0	\$0.00	\$0.00
<b>Rip Current</b>	3	4	0	\$0.00	\$0.00
<b>Total</b>	548	83	66	\$7,834,943,340.00	\$9,602,000.00

Source: NOAA National Weather Service (NWS) Storm Events Database through the National Centers for Environmental Information (NCEI)<sup>147</sup>

*Table 53* provides a summary of historical incident record types in Lee County located in a LMI block group. However, this table may not capture all hazardous incidents. *Table 53* may not capture all hazardous incidents. The flooding category encompasses riverine floods and flash floods. Tropical cyclones include tropical storms, tropical depressions, high wind, hurricanes, coastal flooding, and storm surges. Severe weather involves thunderstorms, lightning, heavy rain, and hail. The tornado category includes not only tornadoes classified as EF0 or greater, but also dust devils, waterspouts, and funnel clouds. Additionally, the database calculates the total damage estimate based on the available information.

Each incident recorded for Lee County with a known coordinate location or path is demonstrated in *Figure 34*. Bridge failures were identified as an additional incident on the map due to the major impacts to the County's population from Hurricane Ian. The indirect damage from Hurricane Ian's storm surge to the bridges cut off connections to the mainland road access for thousands of residents.

<sup>147</sup>[https://www.ncdc.noaa.gov/stormevents/listevents.jsp?eventType=ALL&beginDate\\_mm=01&beginDate\\_dd=01&beginDate\\_yyyy=1950&endDate\\_mm=06&endDate\\_dd=27&endDate\\_yyyy=2023&county=LEE%3A71&hailfilter=0.00&tornfilter=0&windfilter=000&sort=DT&submitbutton=Search&statefips=12%2CFLOIDA](https://www.ncdc.noaa.gov/stormevents/listevents.jsp?eventType=ALL&beginDate_mm=01&beginDate_dd=01&beginDate_yyyy=1950&endDate_mm=06&endDate_dd=27&endDate_yyyy=2023&county=LEE%3A71&hailfilter=0.00&tornfilter=0&windfilter=000&sort=DT&submitbutton=Search&statefips=12%2CFLOIDA)

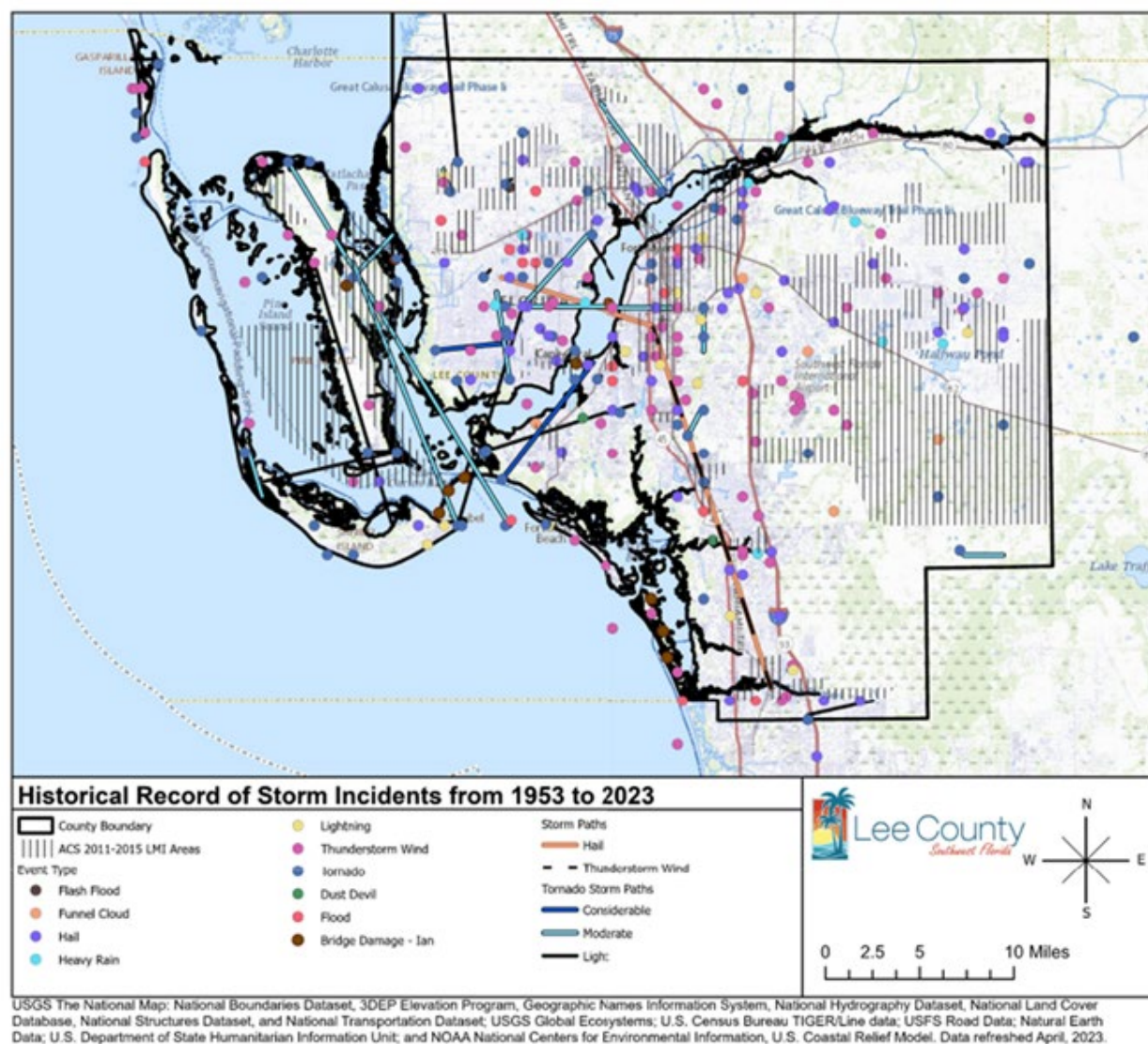


Figure 34 - The historical incident record types in a known coordinate or path in Lee County. The American Community Survey (ACS) 2011-2015. Low-to-Moderate Income data was used to demonstrate LMI areas.<sup>148</sup>

<sup>148</sup>[https://www.ncdc.noaa.gov/stormevents/listevents.jsp?eventType=ALL&beginDate\\_mm=01&beginDate\\_dd=01&beginDate\\_yyyy=1950&endDate\\_mm=06&endDate\\_dd=27&endDate\\_yyyy=2023&county=LEE%3A71&hailfilter=0.00&tornfilter=0&windfilter=000&sort=DT&submitButton=Search&statefips=12%2CFLORIDA](https://www.ncdc.noaa.gov/stormevents/listevents.jsp?eventType=ALL&beginDate_mm=01&beginDate_dd=01&beginDate_yyyy=1950&endDate_mm=06&endDate_dd=27&endDate_yyyy=2023&county=LEE%3A71&hailfilter=0.00&tornfilter=0&windfilter=000&sort=DT&submitButton=Search&statefips=12%2CFLORIDA), and <https://www.hudexchange.info/programs/acs-low-mod-summary-data/>

*Table 53 - The historical incident record types in Lee County located in an ACS LMI block group.*

Incident Record Type	Located in a LMI Block Group
Dust Devil	1
Flash Flood	1
Flood	2
Funnel Cloud	1
Hail	22
Heavy Rain	4
Lightning	4
Thunderstorm Wind	31
Tornado	30
<b>Total</b>	<b>96</b>

Source: NOAA NWS Storm Events Database through the NCEI and HUD data<sup>149</sup>

Out of the 548 incident record types, 96 listed in *Table 53* have a known coordinate within an LMI block group. The LMI count for incident record types represents approximately 18 percent of the incident records across Lee County.

<sup>149</sup> [https://www.ncdc.noaa.gov/stormevents/choosedates.jsp?statefips=-999%2CALL\\_](https://www.ncdc.noaa.gov/stormevents/choosedates.jsp?statefips=-999%2CALL_)  
<https://www.hudexchange.info/programs/acs-low-mod-summary-data/>

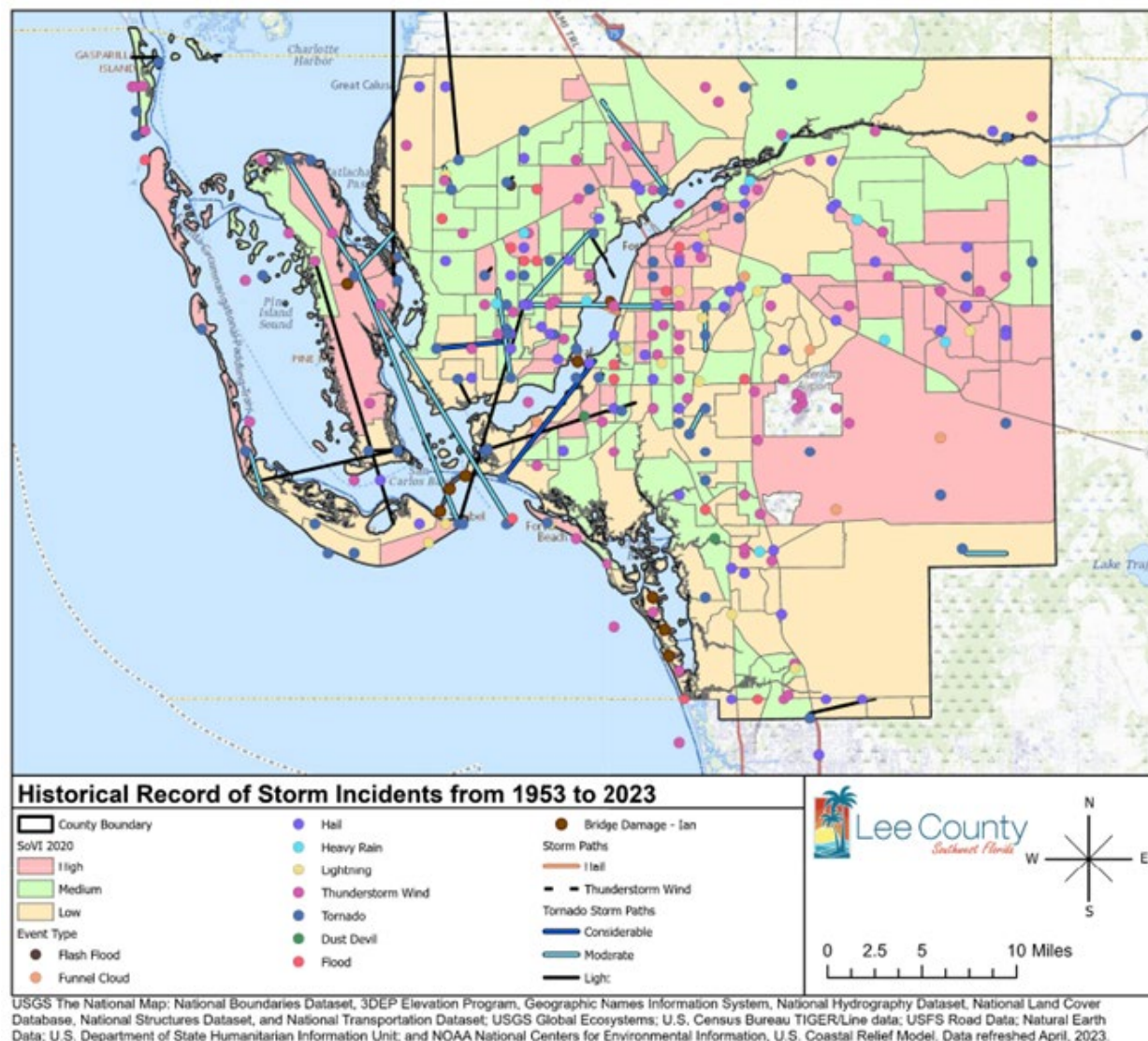


Figure 35 - The historical incident record types in a known coordinate or path in Lee County grouped according to HUD's Social Vulnerability Index rating (SoVI).<sup>150</sup>

<sup>150</sup>[https://www.ncdc.noaa.gov/stormevents/listevents.jsp?eventType=ALL&beginDate\\_mm=01&beginDate\\_dd=01&beginDate\\_yyyy=1950&endDate\\_mm=06&endDate\\_dd=27&endDate\\_yyyy=2023&county=LEE%3A71&hailfilter=0.00&tornfilter=0&windfilter=000&sort=DT&submitbutton=Search&statefips=12%2CFLOIDA](https://www.ncdc.noaa.gov/stormevents/listevents.jsp?eventType=ALL&beginDate_mm=01&beginDate_dd=01&beginDate_yyyy=1950&endDate_mm=06&endDate_dd=27&endDate_yyyy=2023&county=LEE%3A71&hailfilter=0.00&tornfilter=0&windfilter=000&sort=DT&submitbutton=Search&statefips=12%2CFLOIDA), and <https://www.vulnerabilitymap.org/>



*Table 54 - The number of known incident types in the Lee County SoVI areas rated High, Medium, or Low vulnerability.*

Incident Record Type	High	Medium	Low	Grand Total
Dust Devil	1	1	0	2
Flash Flood	0	1	0	1
Flood	3	6	1	10
Funnel Cloud	2	1	2	5
Hail	29	28	18	75
Heavy Rain	3	3	2	8
Lightning	6	6	2	14
Thunderstorm Wind	26	69	23	118
Tornado	30	32	20	82
<b>Total</b>	<b>100</b>	<b>147</b>	<b>68</b>	<b>315</b>

Source: NOAA NWS Storm Events Database through the NCEI and SoVI data<sup>151</sup>

Out of the 548 incidents, 315 occurred in a Lee County SoVI census tract rated as having high, medium, or low social vulnerability. The SoVI count for the incident record types represents approximately 57 percent of the incidents across Lee County. *Table 55* demonstrates the percentages for each of the vulnerability index: high, medium, and low.

*Table 55 - The percentages of the SoVI high, medium, and low areas compared to the total incident records across Lee County.*

Total Incident Records	High	Medium	Low	Total
<b>548</b>	<b>18%</b>	<b>27%</b>	<b>12%</b>	<b>57%</b>

Source: NOAA NWS Storm Events Database through the NCEI and SoVI data<sup>152</sup>

The four hazards in this section highlight the greatest vulnerability and threat to the County according to the Hazard Identification and Risk Assessment of 2022.

<sup>151</sup>[https://www.ncdc.noaa.gov/stormevents/listevents.jsp?eventType=ALL&beginDate\\_mm=01&beginDate\\_dd=01&beginDate\\_yyyy=1950&endDate\\_mm=06&endDate\\_dd=27&endDate\\_yyyy=2023&county=LEE%3A71&hailfilter=0.00&tornfilter=0&windfilter=0.00&sort=DT&submitbutton=Search&statefips=12%2CFLORIDA](https://www.ncdc.noaa.gov/stormevents/listevents.jsp?eventType=ALL&beginDate_mm=01&beginDate_dd=01&beginDate_yyyy=1950&endDate_mm=06&endDate_dd=27&endDate_yyyy=2023&county=LEE%3A71&hailfilter=0.00&tornfilter=0&windfilter=0.00&sort=DT&submitbutton=Search&statefips=12%2CFLORIDA), and <https://www.vulnerabilitymap.org/>

<sup>152</sup>[https://www.ncdc.noaa.gov/stormevents/listevents.jsp?eventType=ALL&beginDate\\_mm=01&beginDate\\_dd=01&beginDate\\_yyyy=1950&endDate\\_mm=06&endDate\\_dd=27&endDate\\_yyyy=2023&county=LEE%3A71&hailfilter=0.00&tornfilter=0&windfilter=0.00&sort=DT&submitbutton=Search&statefips=12%2CFLORIDA](https://www.ncdc.noaa.gov/stormevents/listevents.jsp?eventType=ALL&beginDate_mm=01&beginDate_dd=01&beginDate_yyyy=1950&endDate_mm=06&endDate_dd=27&endDate_yyyy=2023&county=LEE%3A71&hailfilter=0.00&tornfilter=0&windfilter=0.00&sort=DT&submitbutton=Search&statefips=12%2CFLORIDA), and <https://www.vulnerabilitymap.org/>

**Tropical Cyclones and Storm Surge**

The County's coastline is vulnerable to flooding and storm surge due to its shallow depth and low land elevation. During cyclones and hurricanes, which have wind speeds of at least 74 miles per hour, wave and heightened water levels spread across the land and place lives and property at risk. *Figure 36* illustrates the low-lying areas across the County. Of particular interest in the coastline, which saw the greatest levels of storm surge during Hurricane Ian.

**Flooding**

Flooding can result from a variety of causes, such as extended periods of heavy rain, sheet flow moving south from northern counties, rivers overflowing their banks, and tropical storms or hurricanes. A large portion of Lee County's geography is located within the 100-year floodplain.

**Tornadoes**

Tornadoes can occur during tropical cyclones or can develop along frontal boundaries between hot and cold air masses.

**Wildfires**

Wildfires happen for a variety of reasons, lightning strikes being one of them. Local firefighters work closely with the Florida Forest Service and others to battle these blazes when they erupt.



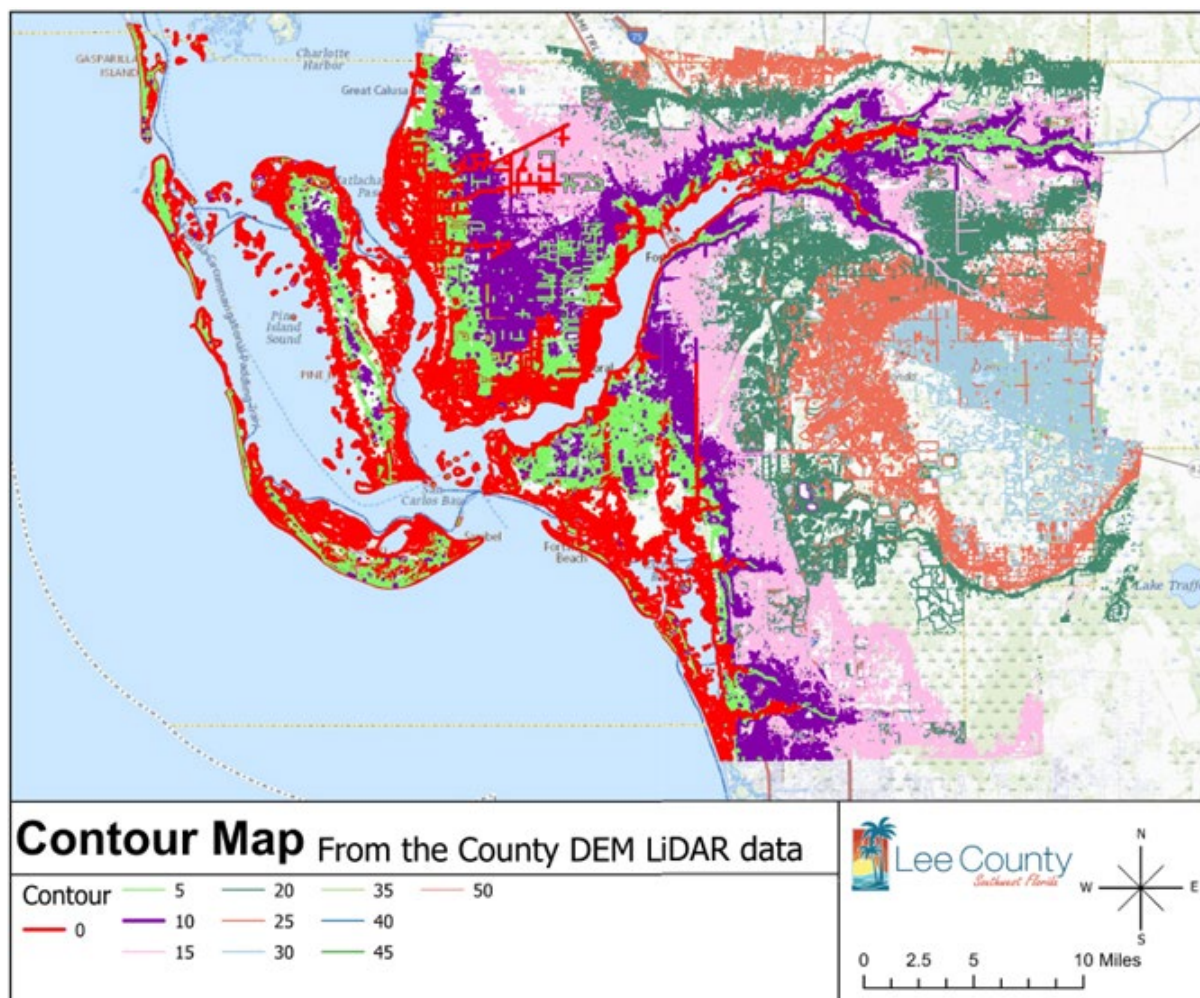


Figure 36 - The Contour Map identifies the low-lying areas across Lee County. Along the coastline, the ground elevation is below zero. The Contour was developed using the County's bare earth digital elevation modelling data. A map of the DEM can be found in Figure 37. <sup>153</sup>

<sup>153</sup> <https://www.leegov.com/gis/data/lidar-data>

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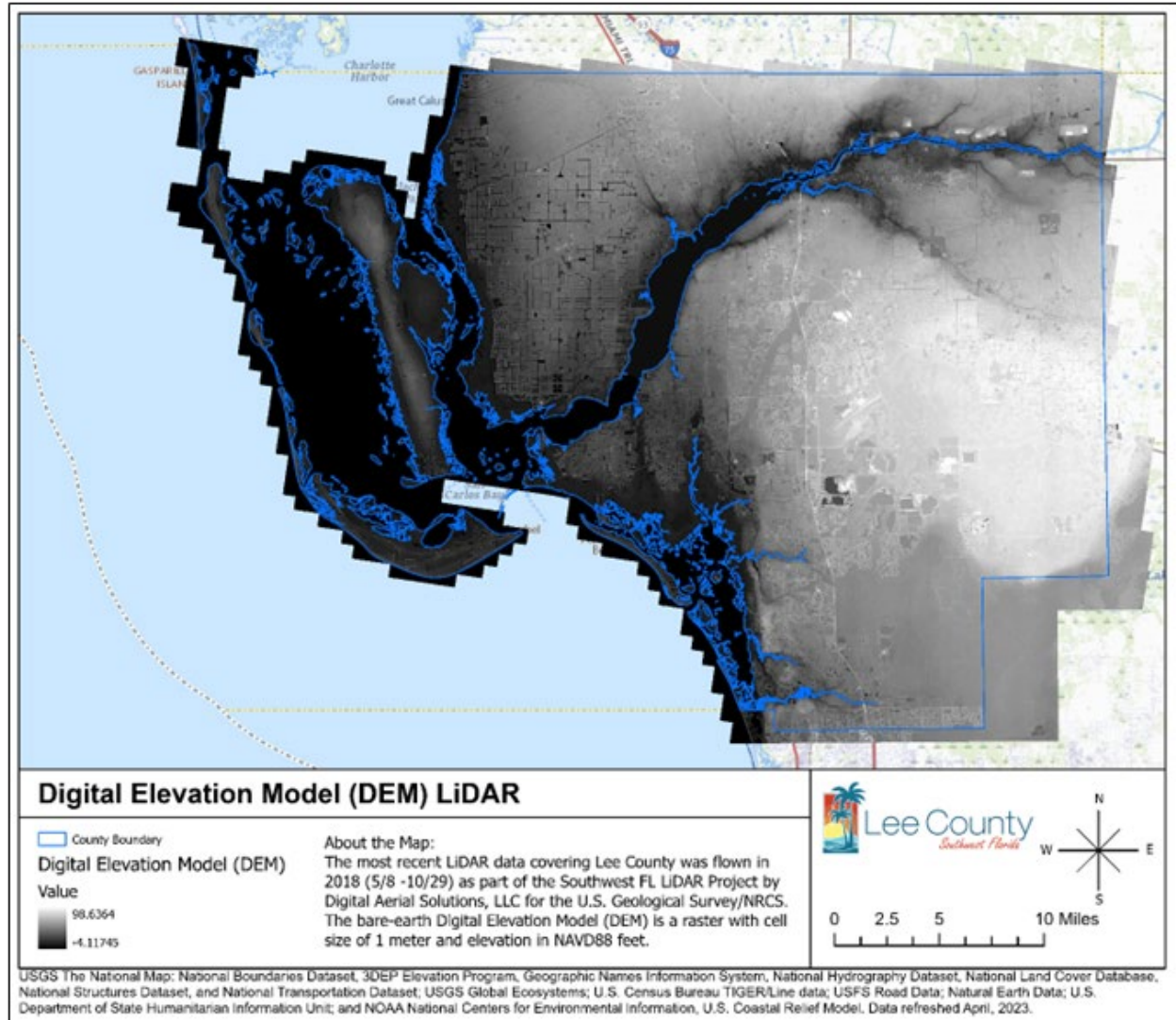


Figure 37 - The Digital Elevation Model demonstrates the bare earth elevation data in NAVD88 feet produced in 2018. (Source: <https://www.leegov.com/gis/data/lidar-data>)

### 3. LEE COUNTY'S PRIMARY HAZARDS: RISKS AND MITIGATION

The following hazards are outlined in the County's 2022 LMS and were developed with input from stakeholders from across the County. All risks were identified and evaluated as a part of the State Hazard Mitigation Plan and County Hazard Assessment. The mitigation measures proposed are based on the 2023 FEMA Hazard Mitigation Assistance Program and Policy Guide.<sup>154</sup>

#### RAINFALL RELATED FLOODING

##### Description of hazard

Rainfall related flooding causes excess rainwater accumulating on the ground surface to a depth which can cause significant damage. The relatively flat landscape of the County can cause water to flow slowly into and through stormwater collection and conveyance systems. This slow-moving water can collect in low areas, and enter residences and other structures, causing significant damage. The rainwater can accumulate slowly with persistent low intensity rainfall, or quickly with high-intensity events.

##### Risk of hazard

According to NOAA, flooding causes more than \$4 billion dollars of damage per declared disaster in the United States.<sup>155</sup> Floodwater can enter residential properties, causing costly repairs and ruining contents. The threat of flooding has also been shown to cause anxiety and mental anguish for residents as they wait for the next flood event to occur. Approximately 35 percent of the area of the County is under FEMA's special flood hazard area (SFHA) designation, indicating risk of flooding in a 100-year probability event. Of the 306 square miles of low-moderate income areas in Lee County, 52.4 square miles of low-moderate income census tracts coincide with the FEMA SFHA. This information indicates that a significant portion of the LMI population of the County could be directly impacted by structural flooding or indirectly by flooding of infrastructure and roadways necessary to maintain community health and economic progress.

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<sup>154</sup> <https://www.fema.gov/grants/mitigation/hazard-mitigation-assistance-guidance>

<sup>155</sup> <https://www.ncei.noaa.gov/access/monitoring/dyk/billions-calculations>



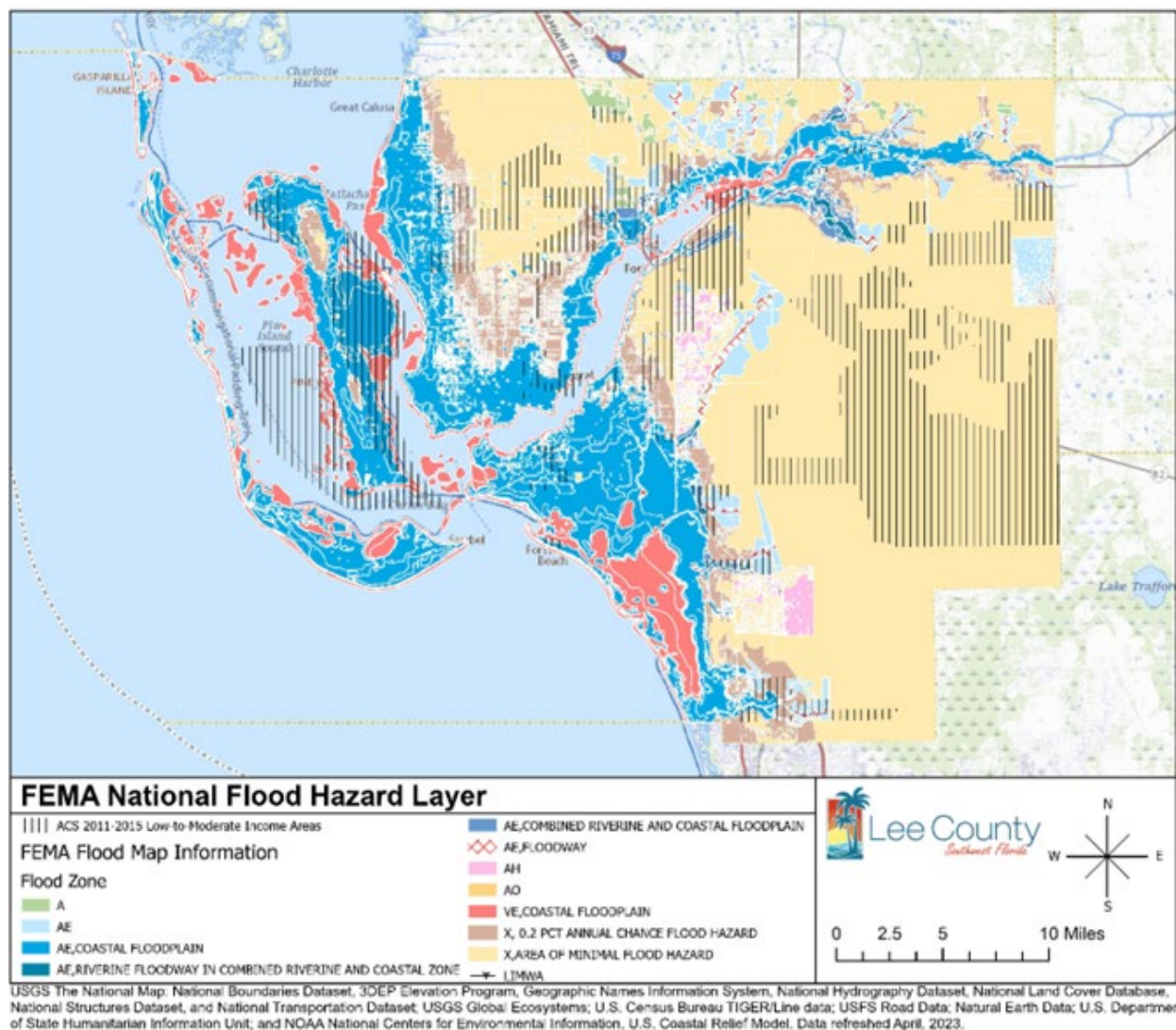


Figure 38 - The FEMA National Flood Hazard Layer (NFHL) flood hazard information and the 2011-2015 American Community Survey (ACS) Low-to-Moderate Income data.<sup>156</sup>

<sup>156</sup> <https://msc.fema.gov/portal/advanceSearch>, <https://www.hudexchange.info/programs/acs-low-mod-summary-data/>

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*Table 56 - The FEMA Flood Map information located in the LMI areas.*

FEMA Flood Zones	LMI Areas (square miles)	LMI Areas (%)	Population
<b>SFHA</b>	52.4	22	143,916
<b>X (shaded)</b>	12.7	5	12,383
<b>X</b>	147.7	61	51,086
<b>Open Water</b>	31	13	0
<b>Lee County LMI</b>	243.9	100	207,385

Source: FEMA Flood Map Service Center and HUD data<sup>157</sup>

**Table 56** demonstrates the LMI populations affected by FEMA SFHAs which are the riverine A, AE, AH, coastal AE and VE, floodway AE zones and X (shaded). Areas which are the 0.2 percent riverine and coastal flood hazard zone, and the X area which is the minimal flood hazard zone are seen in **Figure 39**. The total population was derived from the square miles of LMI Areas in the FEMA SFHA and the Lee County U.S Census 2020 population density statistic, 974.2 persons per square mile.

<sup>157</sup> <https://msc.fema.gov/portal/advanceSearch>, <https://www.hudexchange.info/programs/acs-low-mod-summary-data/>

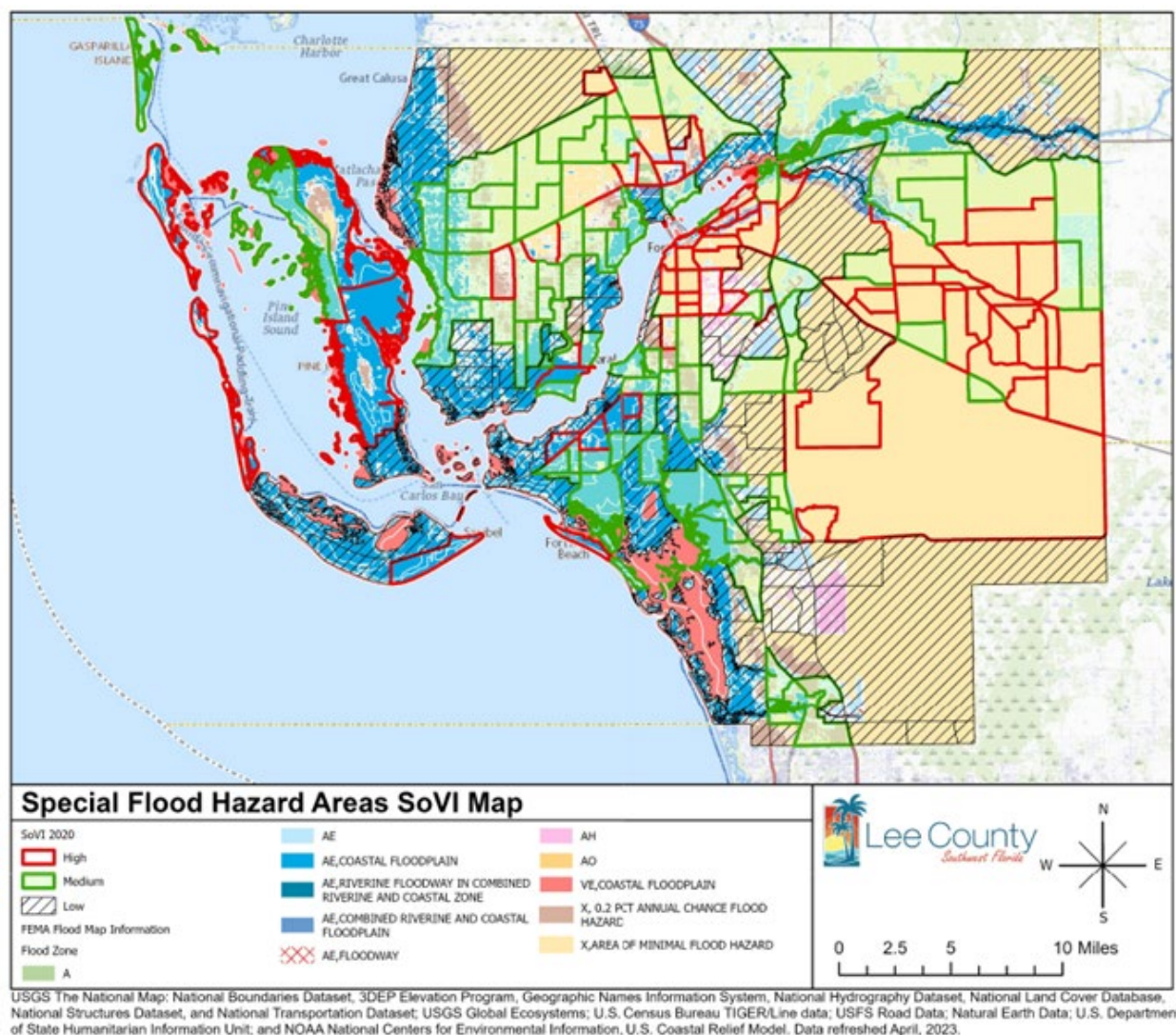


Figure 39 - The FEMA National Flood Hazard Layer (NFHL) flood map information and the SoVI data.<sup>158</sup>

Table 57 - The FEMA Flood Map populations in the SoVI areas.

FEMA Flood Zones	High	Medium	Low
<b>SFHA</b>	182,547	256,188	287,702
<b>X (shaded)</b>	23,574	50,946	39,327
<b>X</b>	353,463	405,956	408,347
<b>Open Water</b>	0	0	0
<b>Grand Total</b>	559,584	713,090	735,376

Source: FEMA Flood Map Service Center and SoVI data<sup>159</sup>

<sup>158</sup> <https://msc.fema.gov/portal/advanceSearch>, <https://www.vulnerabilitymap.org/>

<sup>159</sup> <https://msc.fema.gov/portal/advanceSearch>, <https://www.vulnerabilitymap.org/>



**Table 57** demonstrates the SoVI populations affected by the FEMA SFHAs, the X (shaded) areas, and the X area utilizing the Lee County U.S Census Bureau population density per square mile.

Floods occur from heavy rainfalls which can be caused by tropical cyclones that drop significant amounts of precipitation in a region in a relatively short period of time. Rainfall outside of a given region can also contribute to flooding conditions through the collection and delivery of the water by drainage basins. The NWS defines the two flooding incident record types accordingly:

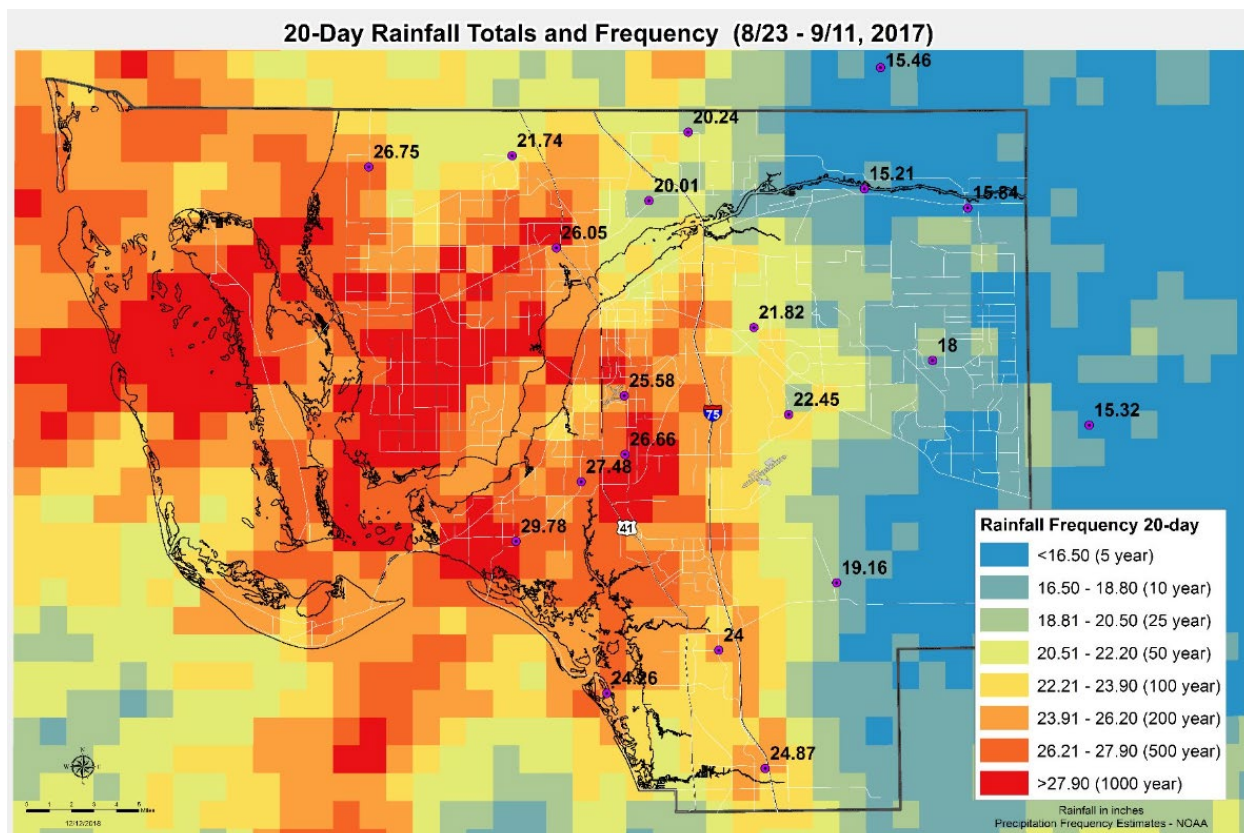
- Flash flood: a rapid and extreme flow of high water into a normally dry area, or a rapid water level rise in a stream or creek above a predetermined flood level, beginning within six hours of the causative event (e.g., intense rainfall, dam failure, ice jam).
- Flooding: rise in water levels that result in a river overflowing its banks or the edges of its main channel and inundate areas that are normally dry.

**Table 58 - The flooding incident record type list of fatalities, injuries, and property damage.**

Incident Record Type	Number of Occurrences since 1953	Fatalities	Injuries	Property Damage (\$)
<b>Heavy Rain</b>	13	0	0	\$0.00
<b>Flash Flood</b>	11	0	0	\$1,432,500.00
<b>Flood</b>	28	0	0	\$501,320,000.00

Source: NOAA National Weather Service (NWS) Storm Events Database through the National Centers for Environmental Information (NCEI)<sup>160</sup>

<sup>160</sup> <https://www.ncdc.noaa.gov/stormevents/choosedates.jsp?statefips=-999%2CALL>



**Figure 40 - Lee County experienced two historic rainstorms in 2017 between the dates of August 25 and September 10, INVEST 92L and Hurricane Irma.** <sup>161</sup>

**Figure 40** illustrates the 2017 historic rainfall events, Invest 92L and Hurricane Irma, where some areas received more than 20 inches of rain during a short period of time. Rainfall at this intense level exceeded the carrying capacity of the County's stormwater system. Significant rainfall caused by Invest 92L resulted in saturation of the ground in many parts of the County. So much so, that additional rainfall associated with Hurricane Irma caused significant flooding to occur.

### Mitigation Measures

Reducing the risk to life and property can generally be accomplished in two ways: getting the life and property out of the way of the water or moving the water away from the life and property. Getting life and property out of the way of the water typically entails elevating structures on new higher foundations above the flood risk or purchasing the structure and property to convert an impervious area into green space to absorb excess rainfall. Buyout programs are also an option

<sup>161</sup> <https://msc.fema.gov/portal/advanceSearch>, <https://www.hudexchange.info/programs/acs-low-mod-summary-data/>

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for people and structures out of the floodplain or high hazard areas. Lee County and jurisdictions in Lee County have historically used available funding to buy out damaged or at-risk properties.<sup>162</sup>

To reduce the risk of high flood water from life and property, there are several engineered or non-engineered solutions to retain, detain, divert, or convey excess stormwater runoff to lower the risk of flooding to those with known flood risks. A number of flood risk reduction projects are anticipated to be funded for Lee County and other jurisdictions to reduce the flood risks to residents.

## **STORM SURGE**

### **Description of hazard**

Storm surge events are caused by wind driven, and sometimes low pressure enhanced, water moving on land. These events can cause long-term accumulation of storm surge water to flood and remain in highly populated areas. Storm surge activities can occur at the same time as rainfall flooding events, exacerbating the flooding conditions.

In certain areas of the County, storm surges can reach heights of more than 20 feet. These vulnerable locations, including coastal high-hazard areas and the surrounding political subdivisions, are at risk of flooding from wave and wind action. These areas include Sanibel Island, Fort Myers Beach, Pine Island, southern Cape Coral, Estero, and Bonita Springs.

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<sup>162</sup>[https://www.cityofbonitasprings.org/services\\_departments/public\\_works/voluntary\\_home\\_buyout\\_program\\_information](https://www.cityofbonitasprings.org/services_departments/public_works/voluntary_home_buyout_program_information)

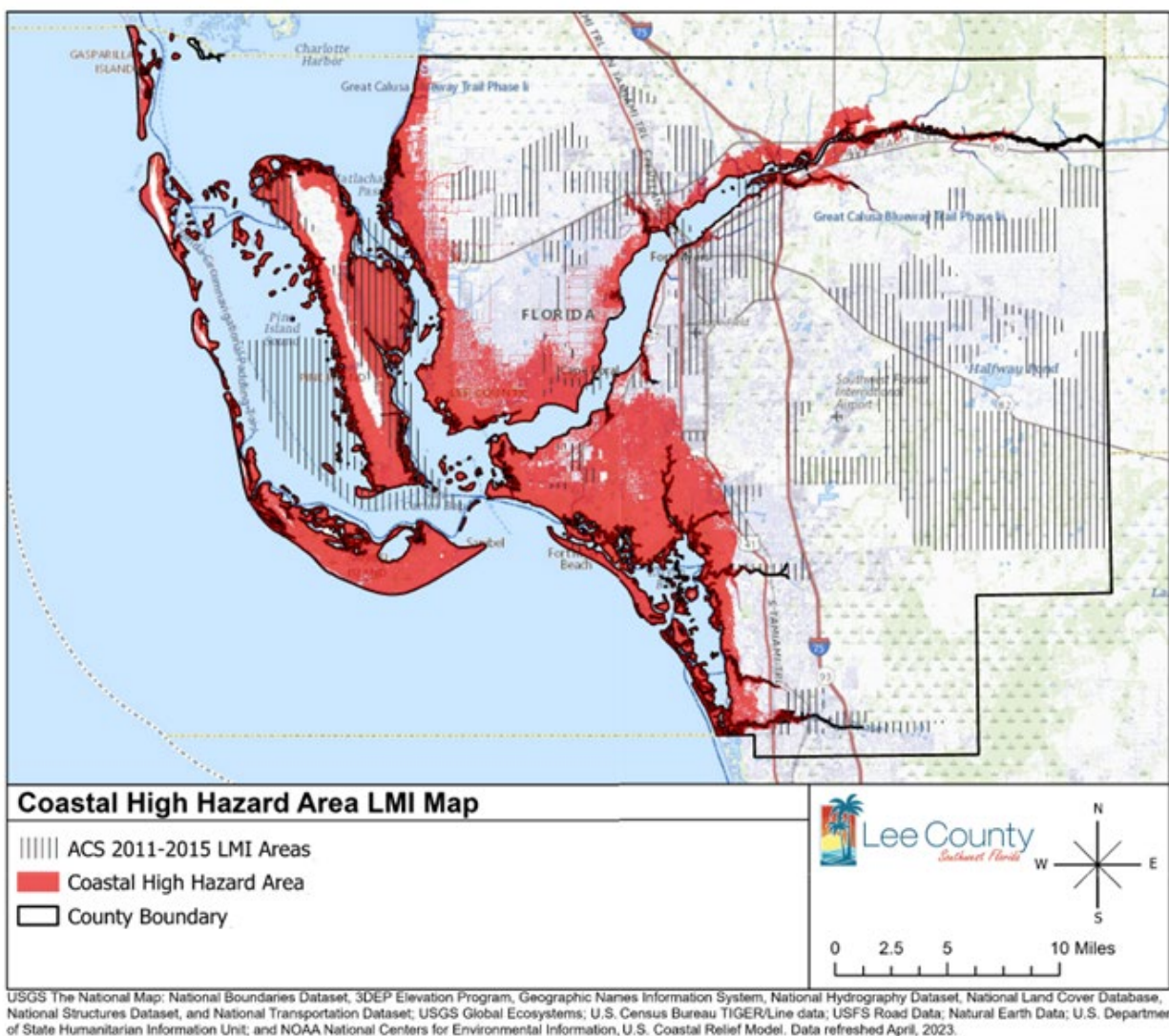


Figure 41 - The coastal high hazard area with the LMI areas identified.<sup>163</sup>

Table 59 – Population Density Data for Total Population Calculation

GEOGRAPHY	
<b>Geography</b>	
Population per square mile, 2020	974.2
Population per square mile, 2010	788.7
Land area in square miles, 2020	781.01
Land area in square miles, 2010	784.51
FIPS Code	12071

<sup>163</sup> <https://maps-leegis.hub.arcgis.com/datasets/coastal-high-hazard-area/explore>, and <https://www.hudexchange.info/programs/acs-low-mod-summary-data/>



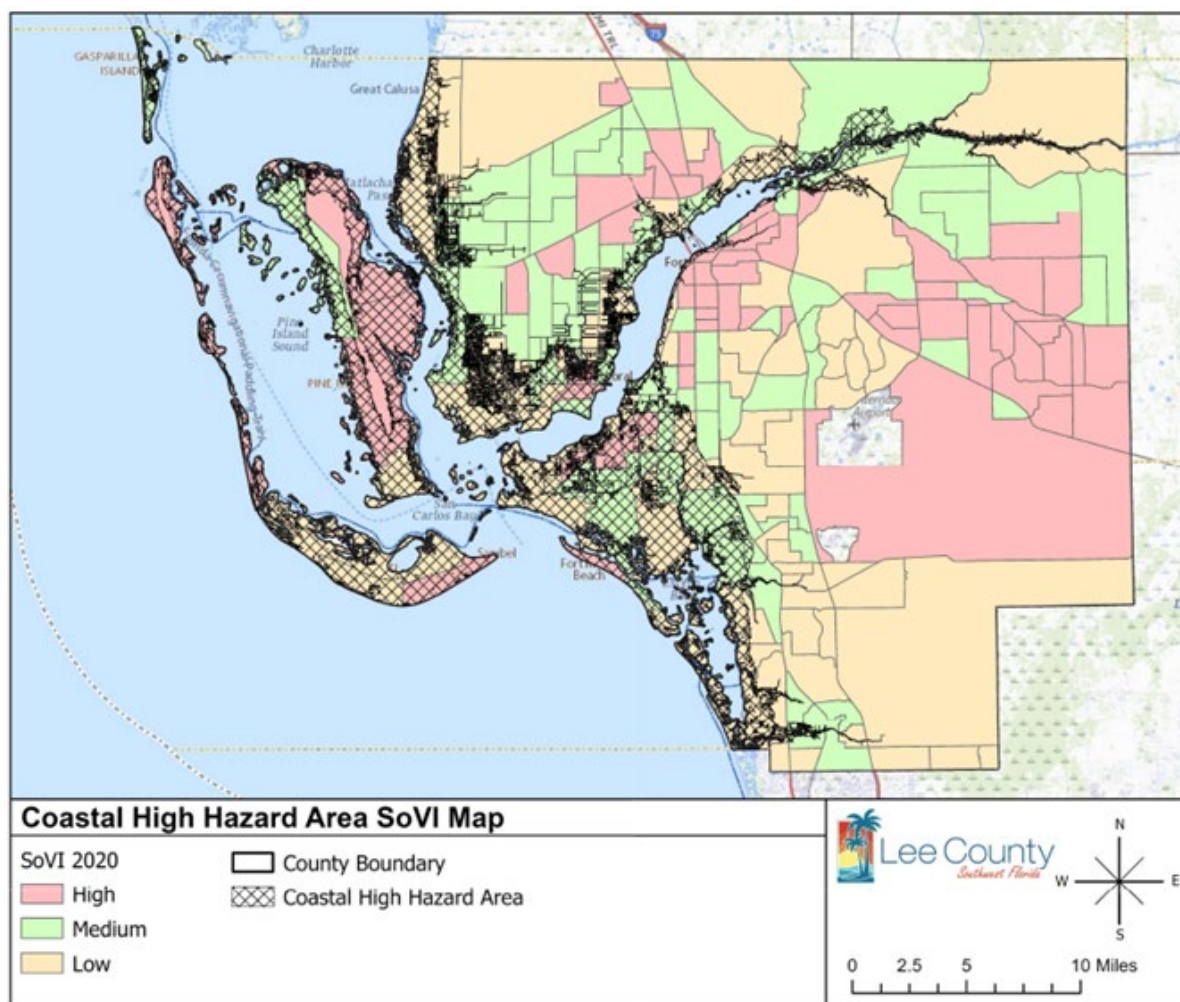
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*Table 60 - The coastal high hazard area compared to the LMI data.*

Coastal High Hazard Area (square miles)	LMI Area (square miles)	Population
169	23.9	23,263

Source: Lee County Coastal High Hazard Area Geographic Information System and HUD data. <sup>164</sup>

Table 60 demonstrates the LMI populations affected by the coastal high hazard areas utilizing the Lee County U.S Census Bureau population density per square mile. Of the 169 square miles of coastal high hazard area, 23.9 square miles are in a LMI area.



USGS The National Map; National Boundaries Dataset, 3DEP Elevation Program, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; USGS Global Ecosystems; U.S. Census Bureau TIGER/Line data; USFS Road Data; Natural Earth Data; U.S. Department of State Humanitarian Information Unit; and NOAA National Centers for Environmental Information, U.S. Coastal Relief Model. Data refreshed April, 2023.

*Figure 42 - Coastal High Hazard areas map compared to the CDC/ATSDR SVI Index.* <sup>165</sup>

<sup>164</sup> <https://maps-leegis.hub.arcgis.com/datasets/coastal-high-hazard-area/explore>, and

<https://www.hudexchange.info/programs/acs-low-mod-summary-data/>

<sup>165</sup> <https://maps-leegis.hub.arcgis.com/datasets/coastal-high-hazard-area/explore>, <https://www.vulnerabilitymap.org/>

*Table 61 - The coastal high hazard areas located in the SoVI data.*

SoVI	Area (square miles)	Population
<b>High</b>	38.4	37,363
<b>Medium</b>	53.1	51,690
<b>Low</b>	77.5	75,460

Source: Lee County Coastal High Hazard Area Geographic Information System and SoVI data. <sup>166</sup>

Storm surge is not limited to the coastline; it can travel miles inland across land and through estuaries.<sup>167</sup> Hurricane Ian demonstrated this with storm surge traveling several miles inland through the interconnected waterways of rivers, streams, and canals. As seen in *Figure 43*, the surge from Ian traveled 15 miles inland to flood the downtown Fort Myers area. The storm surge also reached well inland, with the Caloosahatchee River rising just over 8 feet 24 miles upriver in North Fort Myers.

The peak stages of Hurricane Ian storm surge are compared to the FEMA coastal floodplain in *Figure 43*. The base flood elevations (NAVD88) of the coastal floodplain represent the 100-year storm surge events, which is the closest storm event to Hurricane Ian in the jurisdiction south of Lee County.

<sup>166</sup> <https://maps-leegis.hub.arcgis.com/datasets/coastal-high-hazard-area/explore>, <https://www.vulnerabilitymap.org/>

<sup>167</sup> Estuary: the widening channel of a river where it nears the sea, with a mixing of fresh water and salt (tidal) water · an inlet of the sea.



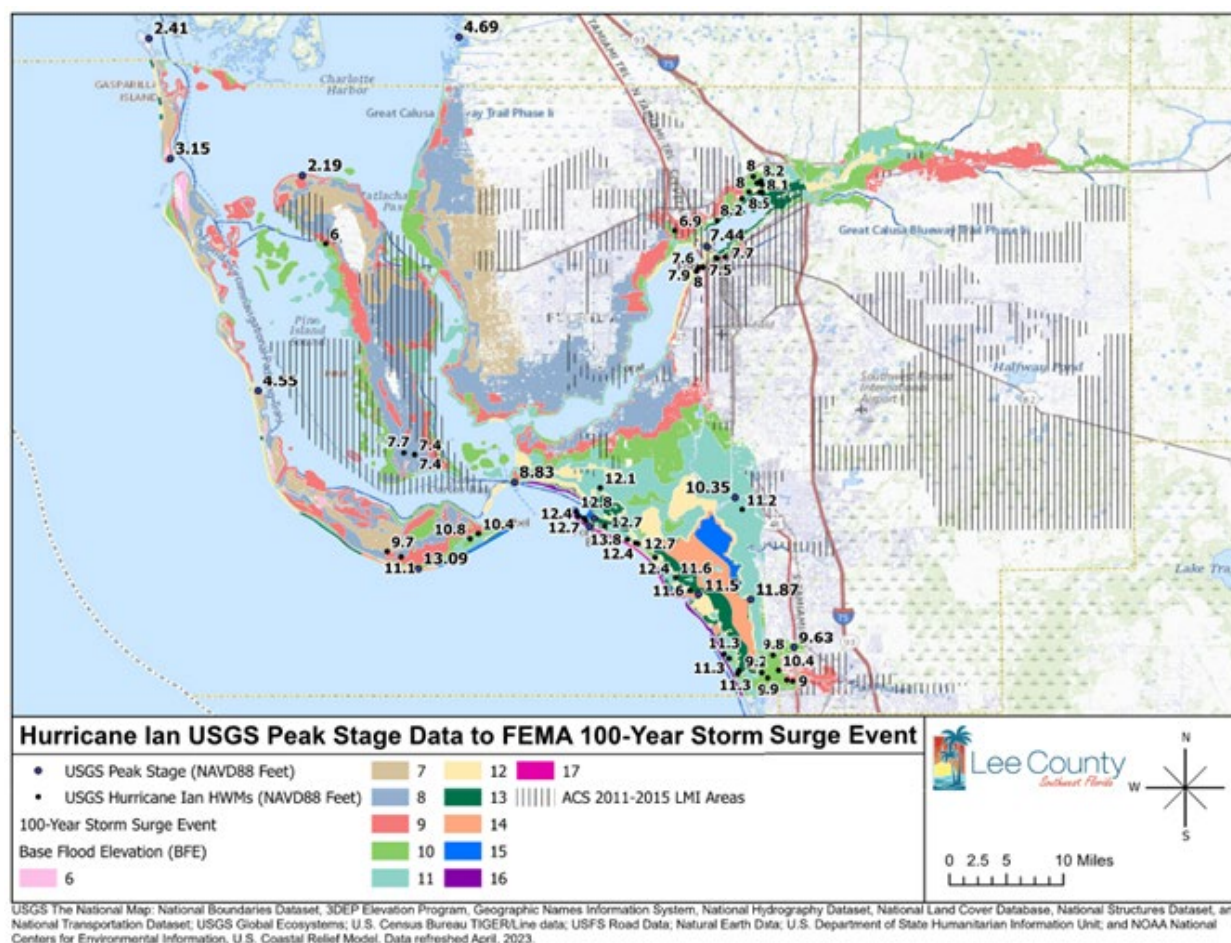


Figure 43 - The Hurricane Ian peak stages in NAVD88 feet captured by the USGS sensors compared to the FEMA coastal floodplain (100-year event).<sup>168</sup>

Areas in southern Lee County, including the coastal rivers, streams and canals, experienced storm surges reaching maximum heights of approximately 13.8 NAVD88 feet. The peak stages are comparable to a FEMA 100-year event. Hurricane Ian storm surge was most similar to the FEMA 100-year event in areas of southern Lee County, including Sanibel, Fort Myers Beach, Bonita Springs, Village of Estero, and unincorporated Lee County.

<sup>168</sup> <https://stn.wim.usgs.gov/FEV/>, <https://stn.wim.usgs.gov/FEV/>, <https://www.hudexchange.info/programs/acs-low-mod-summary-data/>

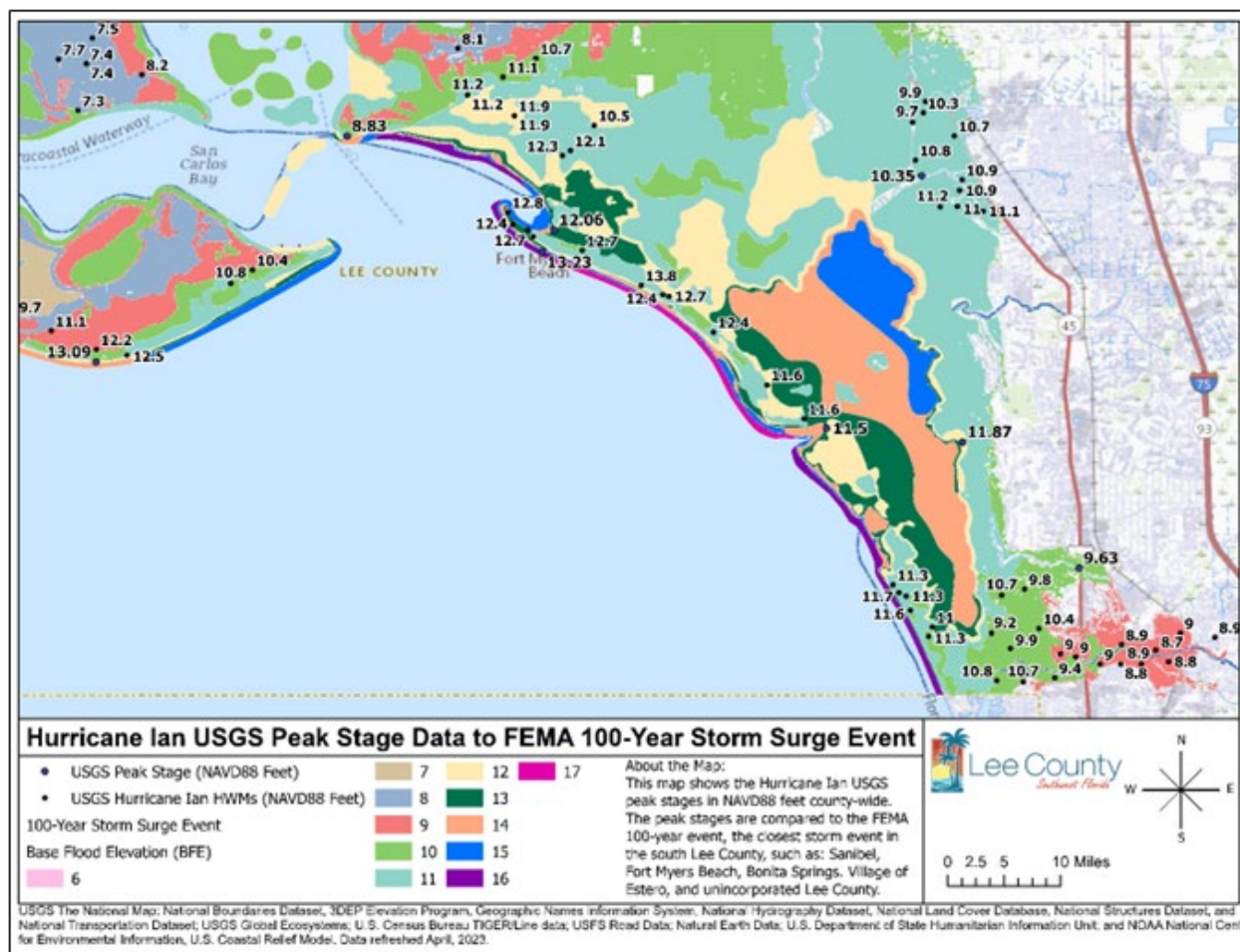


Figure 44 - The Hurricane Ian peak stages captured by the USGS sensors compared to the FEMA coastal floodplain (100-year event).<sup>169</sup>

Other areas north along the Caloosahatchee River, such as the City of Fort Myers, South Fort Myers, and North Fort Myers experienced storm surge heights of 8 NAVD88 feet.

<sup>169</sup> <https://stn.wim.usgs.gov/FEV>

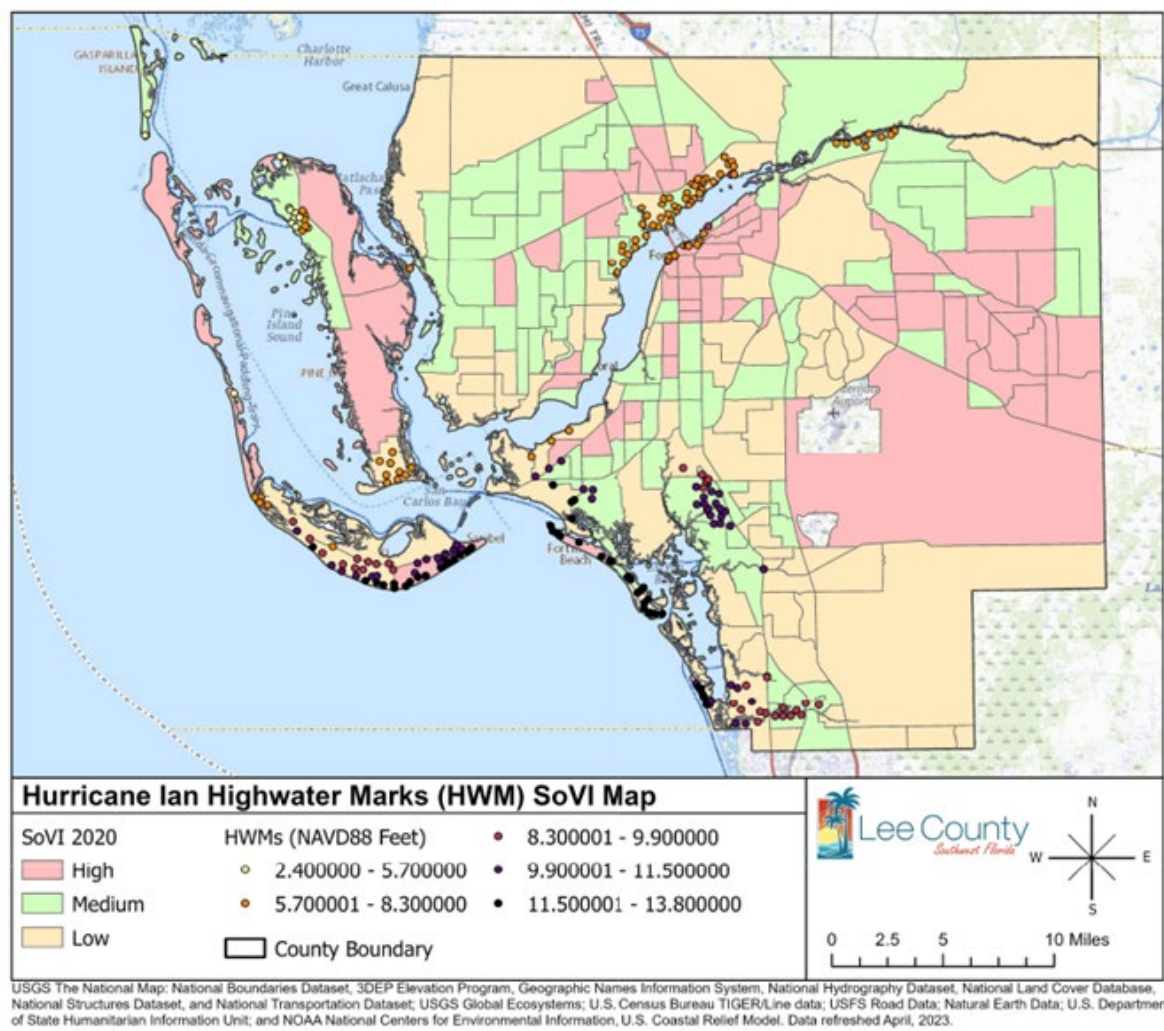


Figure 45 – The Hurricane Ian peak stages captured by the USGS sensors compared to US Census Tract Level SoVI (100-year event).<sup>170</sup>

Table 62 - The number of highwater marks located in the high, medium, and low SoVI US Census Tract.

Highwater Marks	High	Medium	Low
2.4 - 5.7	1	0	13
5.700001-8.3	15	38	41
8.300001-9.9	0	21	14
9.900001-11.5	14	19	21
11.500001-13.8	25	20	8
<b>Total</b>	<b>55</b>	<b>98</b>	<b>97</b>

Source: USGS and SoVI data<sup>171</sup>

<sup>170</sup> <https://stn.wim.usgs.gov/FEV>, <https://stn.wim.usgs.gov/FEV>, <https://www.vulnerabilitymap.org/>

<sup>171</sup> <https://stn.wim.usgs.gov/FEV>, <https://stn.wim.usgs.gov/FEV>, <https://www.vulnerabilitymap.org/>



## Risk of hazard

Large-scale storm surge events are less common than rainfall flood events due to the strong and persistent wind forces that cause storm surge events. The speed, direction, and strength of Hurricane Ian resulted in the magnitude of storm surge during the event.<sup>172</sup> While uncommon, the widespread and dramatic impacts of storm surge cause significant damage as described above in the summary of impacts from Hurricane Ian.

*Table 63 - The coastal flood and storm surge/tide list of fatalities, injuries, and property damage.*

Incident Record Type	Number of Occurrences since 2018	Fatalities	Injuries	Property Damage (\$)
Coastal Flood	1	0	0	\$0.00
Storm Surge/Tide	1	0	0	\$0.00

\*Hurricane Ian Storm Surge is accounted for in the Hurricane event type in the Tropical Cyclones section.

Source: NOAA National Weather Service (NWS) Storm Events Database through the National Centers for Environmental Information (NCEI)<sup>173</sup>

## Mitigation measures

Preventing storm surge damage is difficult due to the disbursed nature of the water as it moves onshore. These dynamics make mitigating damage from storm surge events difficult. The best mitigation measures to prevent damage to structures are elevating structures or acquiring properties through a buyout program and returning the area to green space. As noted above, Lee County and jurisdictions therein have a history of successful programs to purchase properties in areas prone to repetitive flooding or storm surge.

Mitigation for storm surge through CDBG-DR related programs and projects will include science-based project design that conforms to Florida's and Lee County's building code and standards.

Lee County will conform to Florida Building Code and local permitting requirements, which contain elevation standards to mitigate risks associated with storm surge. Lee County will balance cost-effectiveness and science-based construction as defined by Florida Building Code. Contractors will be required to specify their design and materials standards for elevation to ensure appropriate mitigation efforts.

<sup>172</sup> [https://www.nhc.noaa.gov/data/tcr/AL092022\\_Ian.pdf](https://www.nhc.noaa.gov/data/tcr/AL092022_Ian.pdf)

<sup>173</sup> <https://www.ncdc.noaa.gov/stormevents/choosedates.jsp?statefips=-999%2CALL>

## TORNADOES

### Description of hazard

Tornadoes are localized high wind rotational events ranging from a few dozen feet wide to over a mile. Wind speeds can range from 60 miles per hour to over 200 miles per hour and are measured on the Enhanced Fujita (EF) scale 0 to 5. Even moderately strong tornadoes can demolish structures.

*Table 64 - The EF rating compared to the tornado magnitude and gust (mph).*

EF Rating	Magnitude	Gust (mph)
0	Light	65-85
1	Moderate	86-110
2	Considerable	111-135
3	Severe	136-165
4	Devastating	166-200
5	Incredible	>200

Source: NWS Fujita Damage Intensity Scale <sup>174</sup>

### Risk of hazard

Since 1953, 118 recorded tornadoes have touched down in Lee County, with 88 causing an estimated total damage of \$44 million. This equates to an average of more than one damaging tornado impacting Lee County each year. While typically localized, these events can have a devastating effect on those in the impact zone. As recently as 2022, 28 residences were destroyed in Lee County by an EF2 tornado.<sup>175</sup>

<sup>174</sup> VII <https://www.weather.gov/bmx/fujitascale>

<sup>175</sup> <https://www.wunderground.com/article/news/news/2022-01-16-florida-tornado-damage-winter-storm>

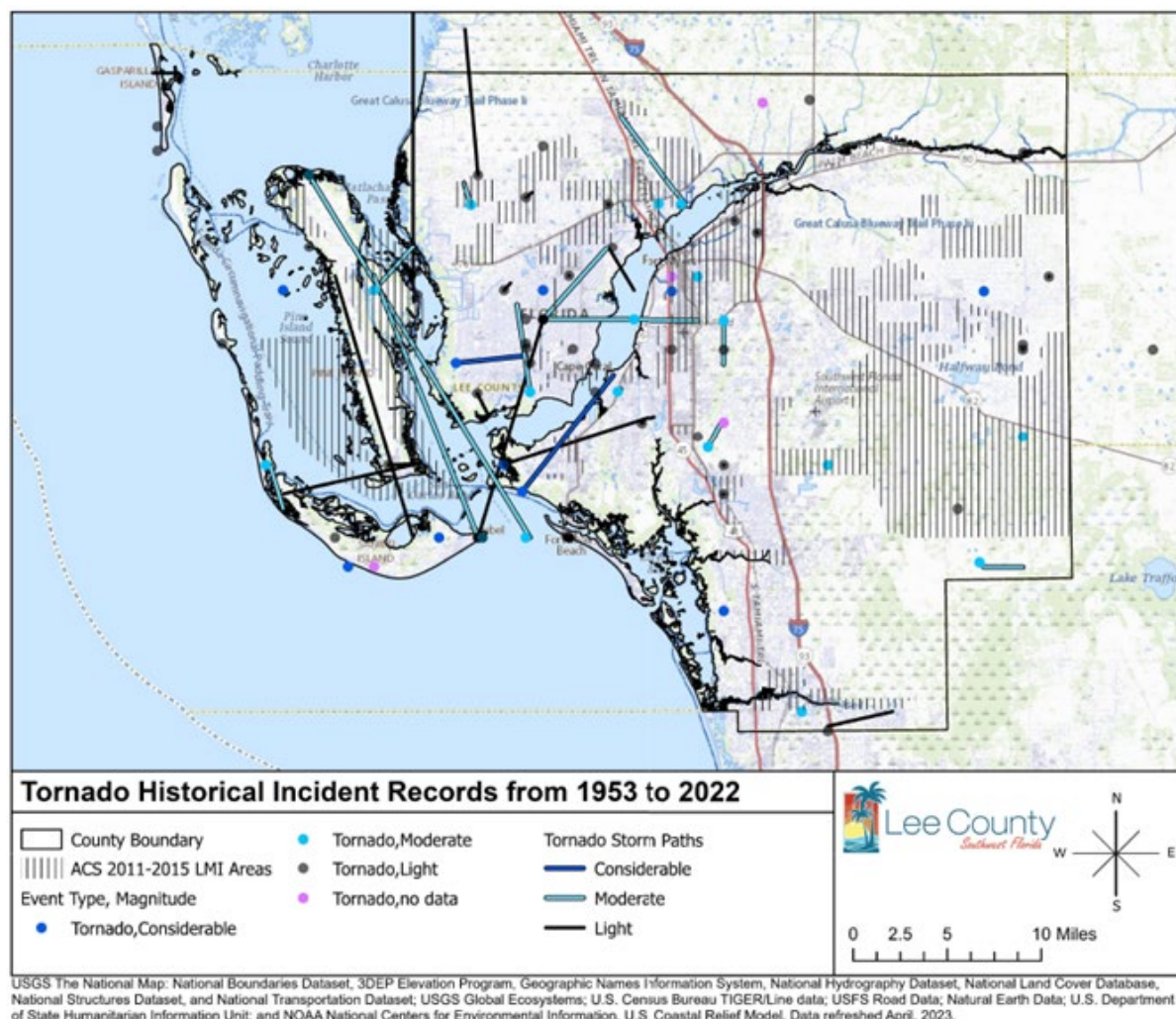


Figure 46 - Historical tornadoes from 1950 to 2023 across the County from a light to considerable magnitude<sup>176</sup>

Table 65 - The number of tornado incident record types located in the LMI areas.

Tornado Magnitudes	LMI
Considerable	2
Moderate	8
Light	19
No Data	1
Total	30

Source: NOAA NWS Storm Events Database through the NCEI and HUD data.<sup>177</sup>

<sup>176</sup>[https://www.ncdc.noaa.gov/stormevents/listevents.jsp?eventType=ALL&beginDate\\_mm=01&beginDate\\_dd=01&beginDate\\_yyyy=1950&endDate\\_mm=06&endDate\\_dd=27&endDate\\_yyyy=2023&county=LEE%3A71&hailfilter=0.00&tornfilter=0&windfilter=000&sort=DT&submitbutton=Search&statefips=12%2CFLORIDA](https://www.ncdc.noaa.gov/stormevents/listevents.jsp?eventType=ALL&beginDate_mm=01&beginDate_dd=01&beginDate_yyyy=1950&endDate_mm=06&endDate_dd=27&endDate_yyyy=2023&county=LEE%3A71&hailfilter=0.00&tornfilter=0&windfilter=000&sort=DT&submitbutton=Search&statefips=12%2CFLORIDA), and <https://www.hudexchange.info/programs/acs-low-mod-summary-data/>

<sup>177</sup> <https://www.ncdc.noaa.gov/stormevents/choosedates.jsp?statefips=-999%2CALL>



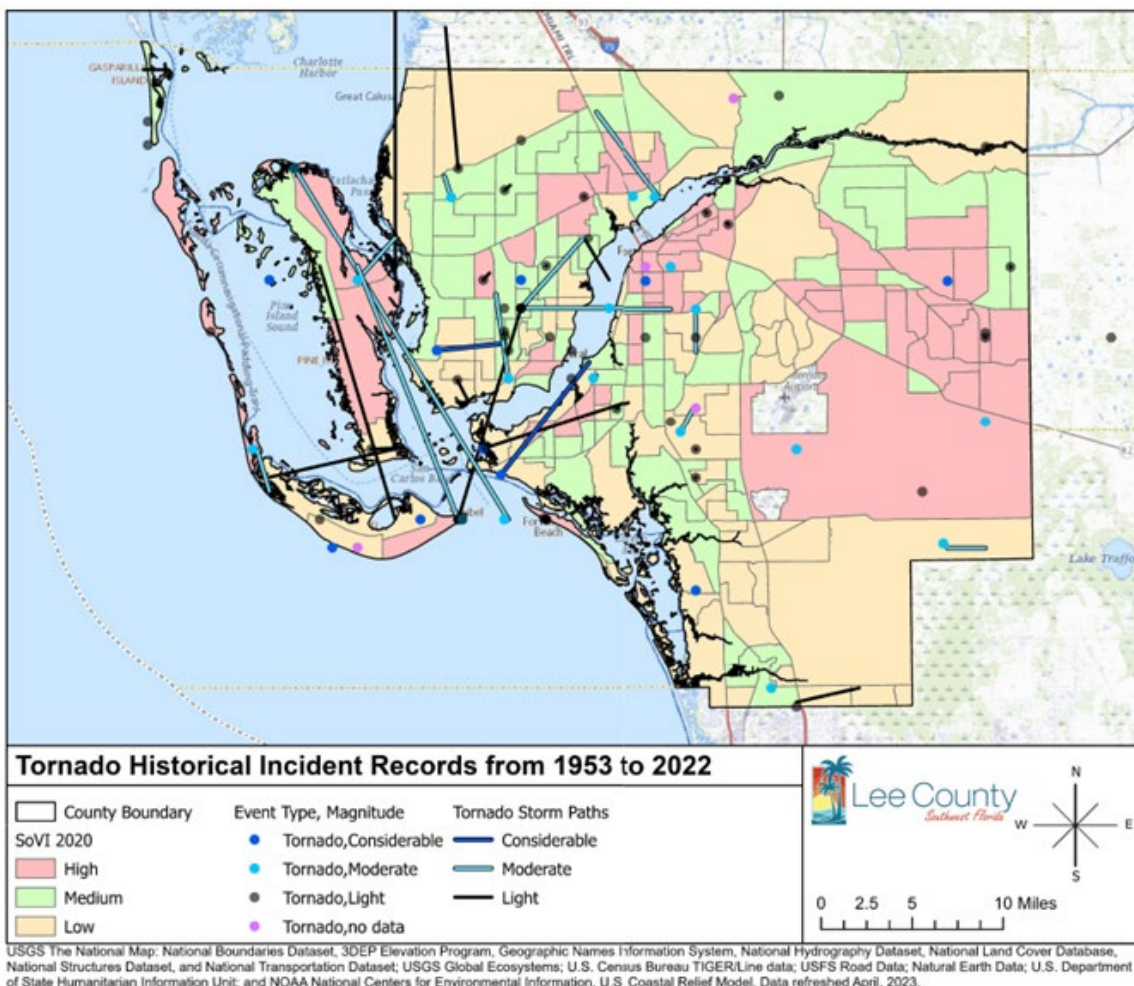


Figure 47 - Historical tornadoes from 1950 to 2023 across the County from a light to considerable magnitude.<sup>178</sup>

Table 66 - The number of tornadoes incident record types located in the high, medium, and low SoVI US Census Tract.

Tornado Magnitudes	High	Medium	Low
Considerable	3	3	2
Moderate	6	11	3
Light	20	18	12
No Data	1	0	3
Total	30	32	20

Source: NOAA NWS Storm Events Database through the NCEI and SoVI data<sup>179</sup>

<sup>178</sup> [https://www.ncdc.noaa.gov/stormevents/listevents.jsp?eventType=ALL&beginDate\\_mm=01&beginDate\\_dd=01&beginDate\\_yyyy=1950&endDate\\_mm=06&endDate\\_dd=27&endDate\\_yyyy=2023&county=LEE%3A71&hailfilter=0.00&tornfilter=0&windfilter=000&sort=DT&submitButton=Search&statefips=12%2CFLORIDA](https://www.ncdc.noaa.gov/stormevents/listevents.jsp?eventType=ALL&beginDate_mm=01&beginDate_dd=01&beginDate_yyyy=1950&endDate_mm=06&endDate_dd=27&endDate_yyyy=2023&county=LEE%3A71&hailfilter=0.00&tornfilter=0&windfilter=000&sort=DT&submitButton=Search&statefips=12%2CFLORIDA), <https://www.vulnerabilitymap.org/>

<sup>179</sup> <https://www.ncdc.noaa.gov/stormevents/choosedates.jsp?statefips=-999%2CAL>, <https://www.vulnerabilitymap.org/>

**Table 67 - The tornado magnitude incident record list of fatalities, injuries, and property damage.**

Tornado Magnitude	Number of Occurrences since 1950	Fatalities	Injuries	Property Damage (\$)
<b>Considerable</b>	10	1	16	\$19,805,000.00
<b>Moderate</b>	23	0	14	\$19,955,250.00
<b>Light</b>	66	0	5	\$2,496,530.00
<b>No Data</b>	4	0	0	\$250,030.00

Source: NOAA NWS Storm Events Database through the NCEI<sup>180</sup>

### Mitigation measures

The variable strength of tornadoes can allow for multiple mitigation measures to be used. To protect against the strongest tornadoes, structures should be built to International Code Council (ICC) Building Code – 500<sup>181</sup> and FEMA document P-361<sup>182</sup>. ICC-500 requires structures to be built to a condition of near absolute protection of human life. This requirement includes protection to 200 miles per hour, protection from wind-borne debris, and backup power systems to serve the inhabitants of the structure for up to 24-hours. Lower strength, more common tornadoes, can be mitigated with code rated, or above code rated structures and by protecting openings from flying debris. Lee County and other jurisdictions have proposed safe rooms as part of the HMGP project list.

Mitigation for tornadoes through CDBG-DR related programs and projects will include science-based project design that conforms to Florida's and Lee County's building code and standards.

Lee County will conform to Florida Building Code and local permitting requirements, which contain wind and elevation standards to mitigate risks associated with tornadoes. Lee County will balance cost-effectiveness and science-based construction as defined by Florida Building Code. Contractors will be required to specify their design and materials standards for roofs, exterior walls, including soffits and windows to ensure appropriate mitigation efforts.

<sup>180</sup> <https://www.ncdc.noaa.gov/stormevents/choosedates.jsp?statefips=-999%2CALL>

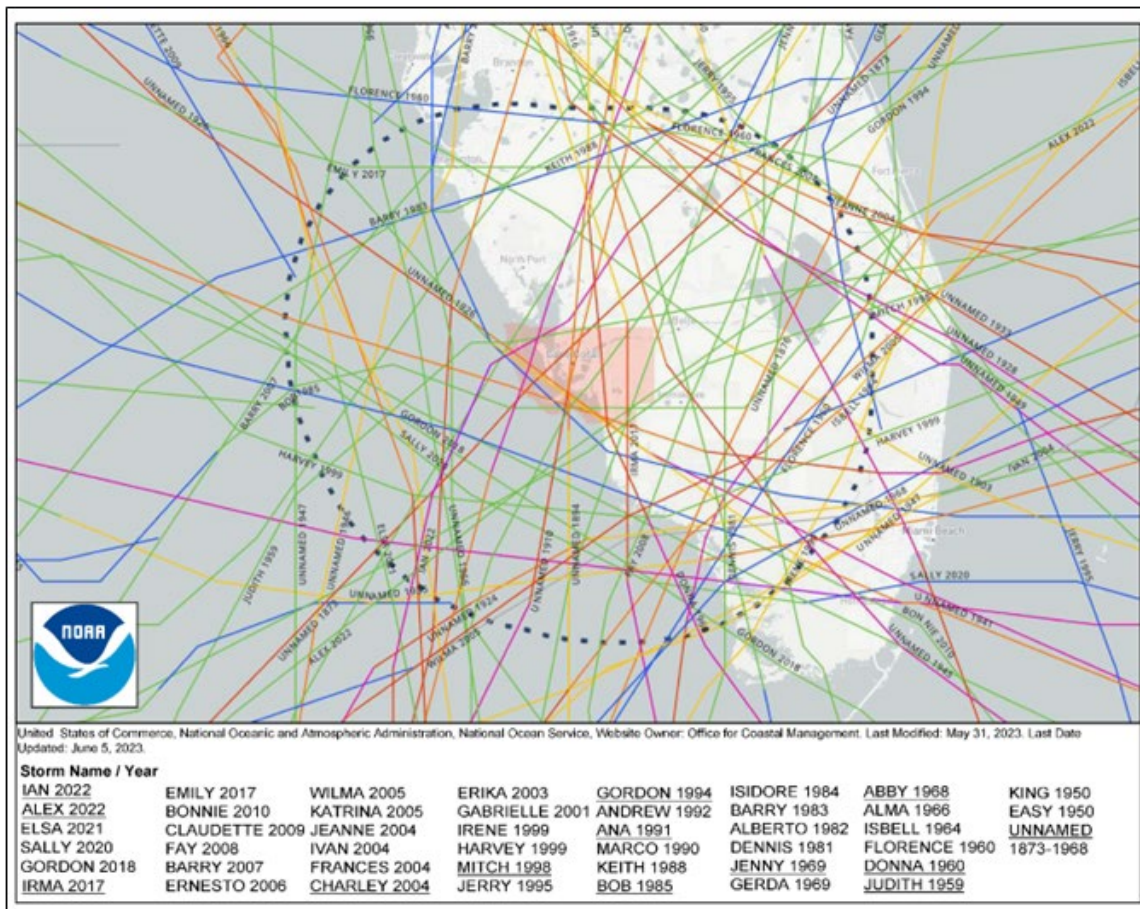
<sup>181</sup> <https://codes.iccsafe.org/content/ICC5002020P1/chapter-1-application-and-administration>

<sup>182</sup> [https://www.fema.gov/sites/default/files/documents/fema\\_safe-rooms-for-tornadoes-and-hurricanes\\_p-361.pdf](https://www.fema.gov/sites/default/files/documents/fema_safe-rooms-for-tornadoes-and-hurricanes_p-361.pdf)

## TROPICAL CYCLONES

### Description of hazard

Tropical cyclones, including tropical storms and hurricanes, can be devastating as the event can combine the impacts of rainfall flooding, storm surge, high winds, wind-borne debris, tornadoes, lightning, and numerous other ancillary hazards. Since 1873, 17 documented tropical cyclones have directly impacted the County, with a total of 52 other tropical cyclones within a 60-mile radius passing close by and causing damage, see *Figure 48*.



*Figure 48 - The storms underlined directly hit Lee County compared to the storms that were within a 60-mile radius to Lee County.<sup>183</sup>*

<sup>183</sup> <https://bit.ly/444vi47>

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Table 68 - Presidential Declared Emergencies and Disasters for Hurricanes since 1965.

Tropical Cyclone	Event Type	Year	Presidential Declaration	Total PA Obligated (\$)
<b>HURRICANE BETSY</b>	Hurricane	1965	DR-209-FL	No Data
<b>HURRICANE GLADYS</b>	Hurricane	1969	DR-252-FL	No Data
<b>TROPICAL STORM AGNES</b>	Coastal Storm	1972	DR-337-FL	No Data
<b>HURRICANE OPAL</b>	Hurricane	1996	DR-1069-FL	No Data
<b>HURRICANE GEORGES</b>	Hurricane	1998	EM-3131-FL	\$42,178,183.02
<b>TROPICAL STORM IRENE - FLORIDA</b>	Hurricane	2000	EM-3150-FL	\$547,528.10
<b>SEVERE STORMS, TORNADOES AND FLOODING ASSOCIATED WITH TROPICAL STORM GABRIELLE</b>	Coastal Storm	2001	DR-1393-FL	\$22,990,447.07
<b>HURRICANE JEANNE</b>	Hurricane	2004	DR-1561-FL	\$520,033,714.90
<b>HURRICANE IVAN</b>	Hurricane	2004	DR-1551-FL	\$694,779,708.94
<b>HURRICANE FRANCES</b>	Hurricane	2004	DR-1545-FL	\$685,254,867.41
<b>TROPICAL STORM BONNIE AND HURRICANE CHARLEY</b>	Hurricane	2004	DR-1539-FL	\$619,521,235.51
<b>HURRICANE KATRINA EVACUATION</b>	Hurricane	2005	EM-3220-FL	\$3,810,182.41
<b>HURRICANE WILMA</b>	Hurricane	2006	DR-1609-FL	\$1,489,338,542.84
<b>HURRICANE IRMA</b>	Hurricane	2017	DR-4337-FL	\$2,465,946,571.78
<b>HURRICANE IRMA</b>	Hurricane	2017	EM-3385-FL	\$0.00
<b>HURRICANE DORIAN</b>	Hurricane	2019	EM-3419-FL	\$0.00
<b>HURRICANE IAN</b>	Hurricane	2022	DR-4673-FL	\$994,043,998.69
<b>TROPICAL STORM IAN</b>	Hurricane	2022	EM-3584-FL	\$0.00
<b>HURRICANE NICOLE</b>	Hurricane	2023	DR-4680-FL	\$8,976,409.33
<b>TROPICAL STORM NICOLE</b>	Tropical Storm	2023	EM-3587-FL	\$0.00

Source: FEMA Open Data Declaration Summaries<sup>184</sup>

<sup>184</sup> <https://www.fema.gov/openfema-data-page/fema-web-disaster-summaries-v1>



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## Risk of hazard

The compounding effects of a tropical cyclone and the frequency in which tropical cyclones impact the County present a major risk of hazard for the area. FEMA estimates that a tropical cyclone results in impacts to Lee County approximately every three years with a direct impact occurring on average every 13 years.<sup>185</sup>

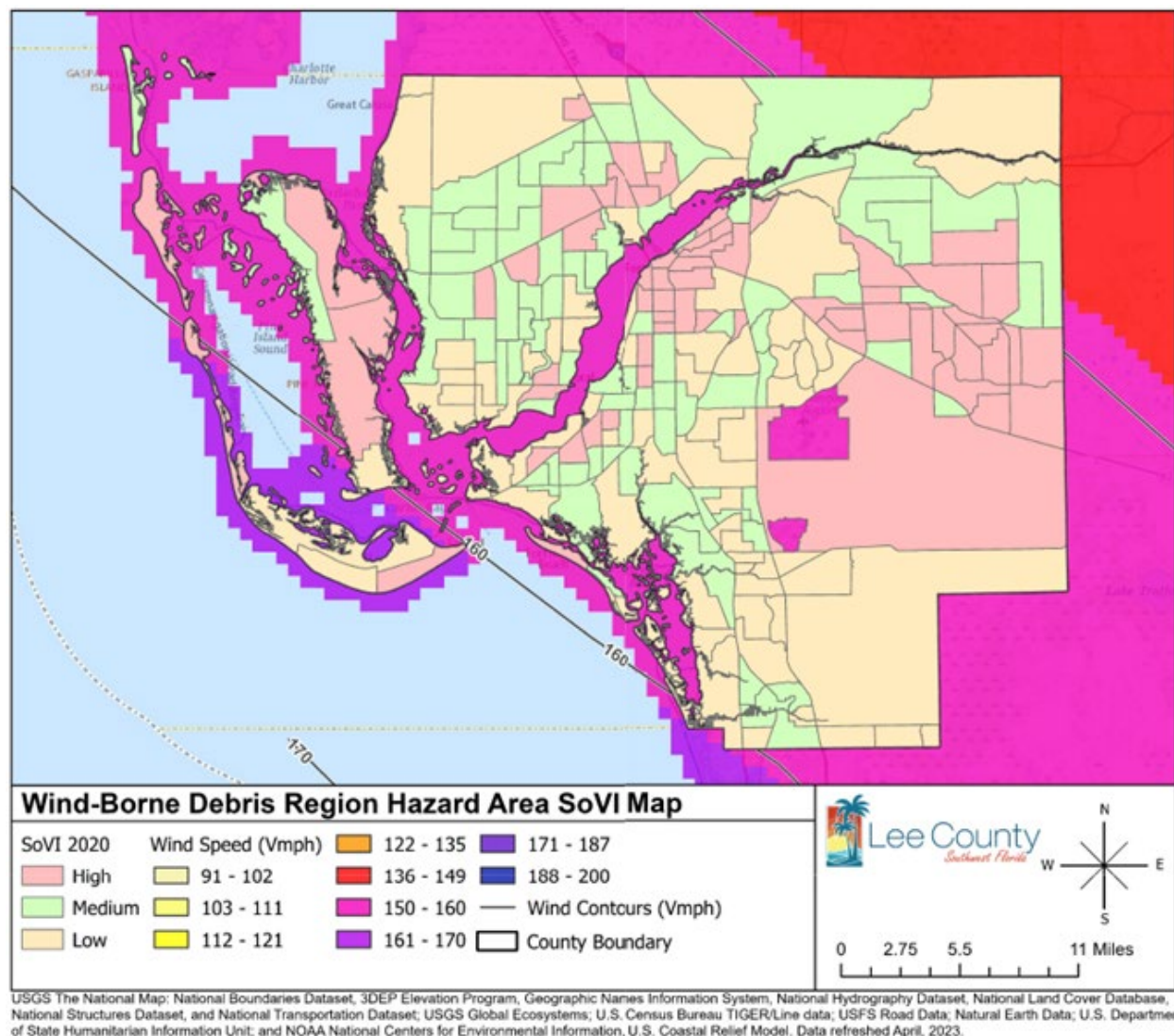


Figure 49 - Wind-Borne Debris Regions for Category II and III buildings and structures except for health care facilities.<sup>186</sup>

<sup>185</sup> [https://www.fema.gov/pdf/rebuild/mat/fema488/488\\_e.pdf](https://www.fema.gov/pdf/rebuild/mat/fema488/488_e.pdf)

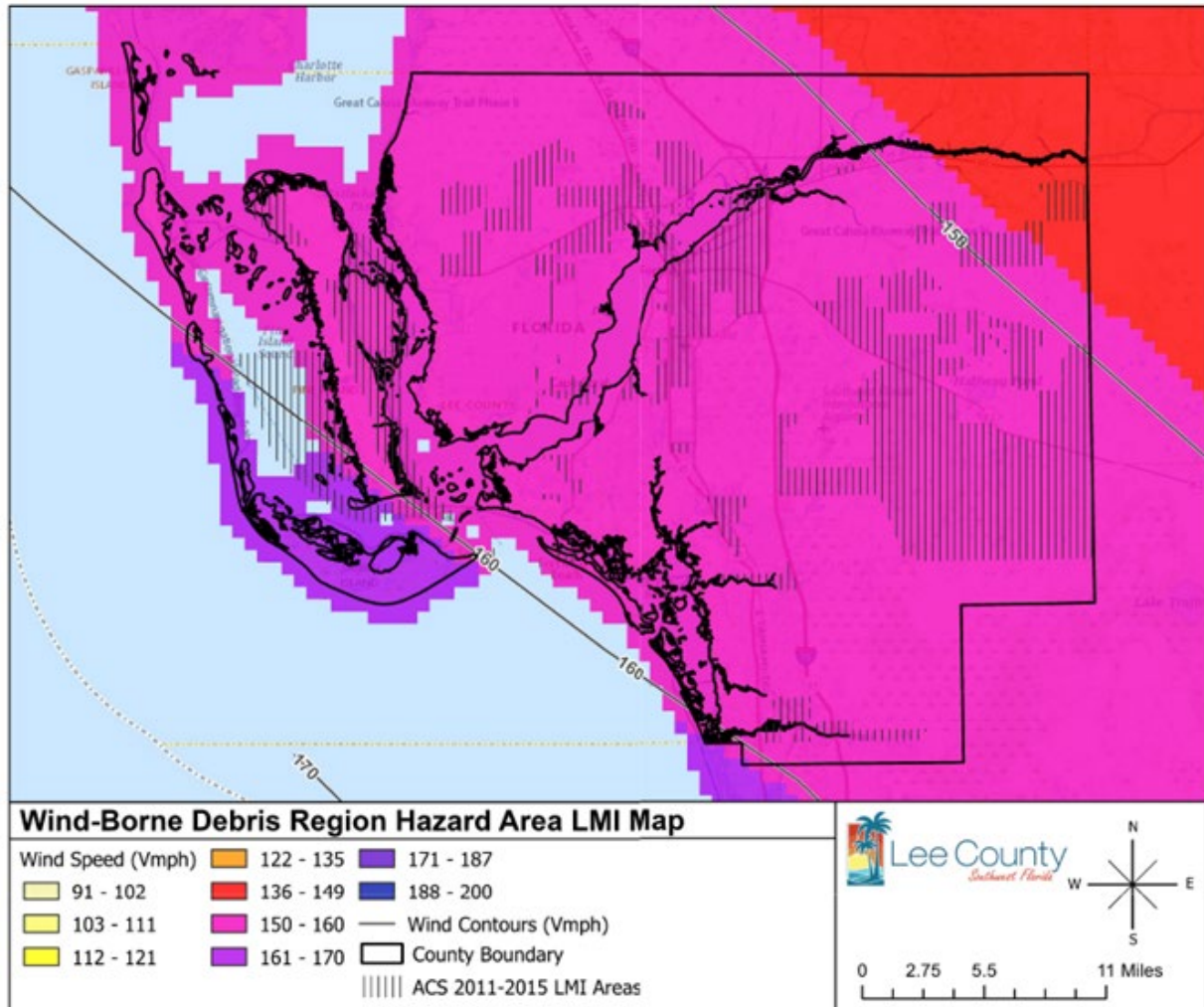
<sup>186</sup> [https://gis.asce.org/arcgis/rest/services/ASCE/Wind\\_2016\\_700\\_Tile/MapServer](https://gis.asce.org/arcgis/rest/services/ASCE/Wind_2016_700_Tile/MapServer), <https://www.vulnerabilitymap.org/>

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*Table 69 - Wind Borne Debris Region for Category II and III buildings and structures located in the SoVI areas.*

Wind (mph)	High	Medium	Low
<150	731	17,040	31,049
150-160	224,789	211,385	272,419
160-170	5,688	0	14,824

Source: American Society of Civil Engineers (ASCE) and SoVI data<sup>187</sup>



USGS The National Map: National Boundaries Dataset, 3DEP Elevation Program, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; USGS Global Ecosystems; U.S. Census Bureau TIGER/Line data; USFS Road Data; Natural Earth Data; U.S. Department of State Humanitarian Information Unit; and NOAA National Centers for Environmental Information, U.S. Coastal Relief Model. Data refreshed April, 2023.

*Figure 50 - Wind-Borne Debris Regions for Category II and III buildings and structures except for health care facilities.*<sup>188</sup>

<sup>187</sup> [https://gis.asce.org/arcgis/rest/services/ASCE/Wind\\_2016\\_700\\_Tile/MapServer](https://gis.asce.org/arcgis/rest/services/ASCE/Wind_2016_700_Tile/MapServer), <https://www.vulnerabilitymap.org/>

<sup>188</sup> [https://gis.asce.org/arcgis/rest/services/ASCE/Wind\\_2016\\_700\\_Tile/MapServer](https://gis.asce.org/arcgis/rest/services/ASCE/Wind_2016_700_Tile/MapServer),  
<https://www.hudexchange.info/programs/acs-low-mod-summary-data/>



*Table 70 - Wind Borne Debris Region LMI Data.*

Wind (mph)	LMI Area (square miles)	Population
<150	4.4	4,286
150-160	225.9	220,072
160-170	13.1	12,762
<b>Grand Total</b>	<b>243.4</b>	<b>23,120</b>

Source: ASCE and HUD data <sup>189</sup>

The code for regions in Florida that are vulnerable to wind and wind-borne debris have undergone frequent changes as a result of wind events. The current code requirements, which were implemented in 2021 and will remain in effect until 2023, are similar to those established in 2012. These requirements have expanded and improved resiliency in wind zone areas significantly.

### **Mitigation measures**

The variety of impacts from tropical cyclones means that a multitude of mitigation measures must be implemented to reduce the risk of hazards. To reduce the hazard of wind and wind-borne debris, structures need to be strengthened and openings protected. Other mitigation measures are similar to constituent hazards. The same mitigation measures that reduce flooding in rain-based hazard events could also reduce flooding during tropical cyclones, such as purchasing property or elevating structures, or by creating systems that reduce the risk of flooding. Lee County and other jurisdictions are proposing these project types as part of the HMGP project list.

For CDBG-DR related programs and projects, efforts to mitigate the damaging effects of tropical cyclones, including tropical storms and hurricanes, will include science-based project design that conforms to Florida's and Lee County's building code and standards.

Lee County will conform to Florida Building Code and local permitting requirements, which contain standards to mitigate risks associated with tropical cyclones. Lee County will balance cost-effectiveness and science-based construction as defined by Florida Building Code. Contractors will be required to specify their design and materials standards for roofs, exterior walls, including soffits and windows to ensure appropriate mitigation efforts.

<sup>189</sup> [https://gis.asce.org/arcgis/rest/services/ASCE/Wind\\_2016\\_700\\_Tile/MapServer](https://gis.asce.org/arcgis/rest/services/ASCE/Wind_2016_700_Tile/MapServer),  
<https://www.hudexchange.info/programs/acs-low-mod-summary-data/>

## WILDFIRES

### Description of hazard

Wildfires are caused when excess dry fuels are available and are ignited, either by natural processes such as lightning or by manmade causes such as uncontained fires. The risk of a conflagration is typically higher during periods of drought or when another natural disaster such as a hurricane or flood causes trees to die off and/or fall and create excess fuel for wildfires.

FEMA defines the Wildfire Urban Interface (WUI) as the “zone of transition between unoccupied land and human development. It is the line, area, or zone where structure and other human development meet or intermingle with undeveloped wildland or vegetative fuels.”<sup>190</sup> This makes the WUI a focal area for human-environment conflicts such as wildland fires, habitat fragmentation, invasive species, and biodiversity decline. Wildfires pose the greatest danger to people and property around the wildland urban interface (WUI).

Generally, the WUI can be areas where the edge of a community transitions to forest land (i.e., boundary); structures that are scattered and interspersed among wildland areas, like individual farms or vacation homes (i.e., intermix); or areas where structures surround wildland, like neighborhood preserves (i.e., island/occluded).<sup>191</sup>

190 What is the WUI? (fema.gov)

191 [Wildland Urban Interface / Firewise USA / For Communities / Forest & Wildfire / Home - Florida Department of Agriculture & Consumer Services \(fdacs.gov\)](#)

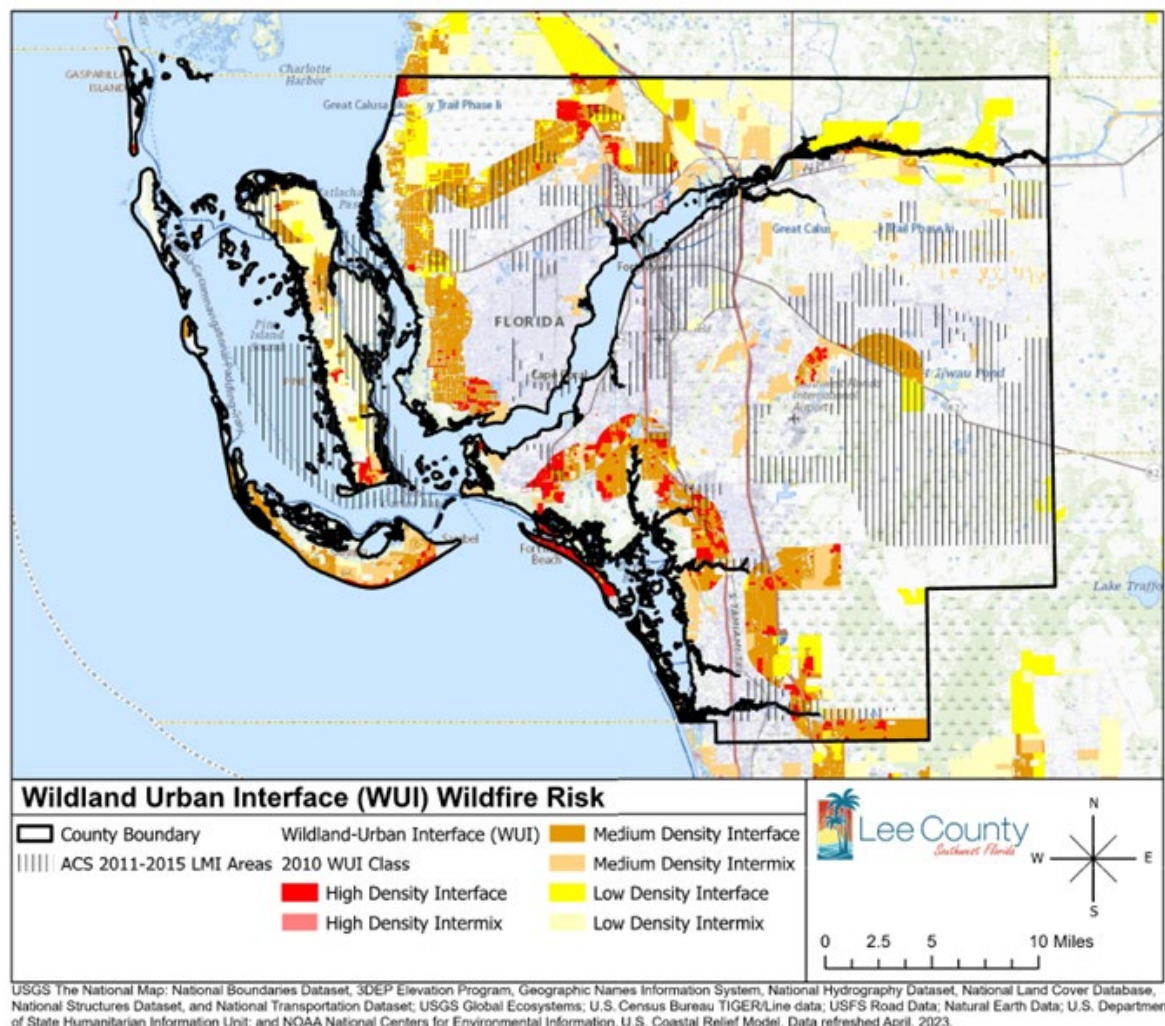


Figure 51 - The County Wildland Urban Interface (WUI) classes across Lee County and LMI areas. <sup>192</sup>

Table 71 - The WUI class located in LMI areas.

WUI Class	LMI Area (square miles)	Population
High Density Interface	1.3	1,300
High Density Intermix	0.0	2
Medium Density Interface	16.6	16,179
Medium Density Intermix	3.2	3,126
Low Density Interface	3.0	2,929
Low Density Intermix	9.5	9,303
<b>Total</b>	<b>33.6</b>	<b>32,839</b>

<sup>192</sup> [Layer: Wildland-Urban Interface \(WUI\) \(ID:6\) \(arcgis.com\), FY 2022 ACS 5-Year 2011-2015 Low- and Moderate-Income Summary Data - HUD Exchange](#)

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Source: Wildland Urban Interface and HUD data.<sup>193</sup>

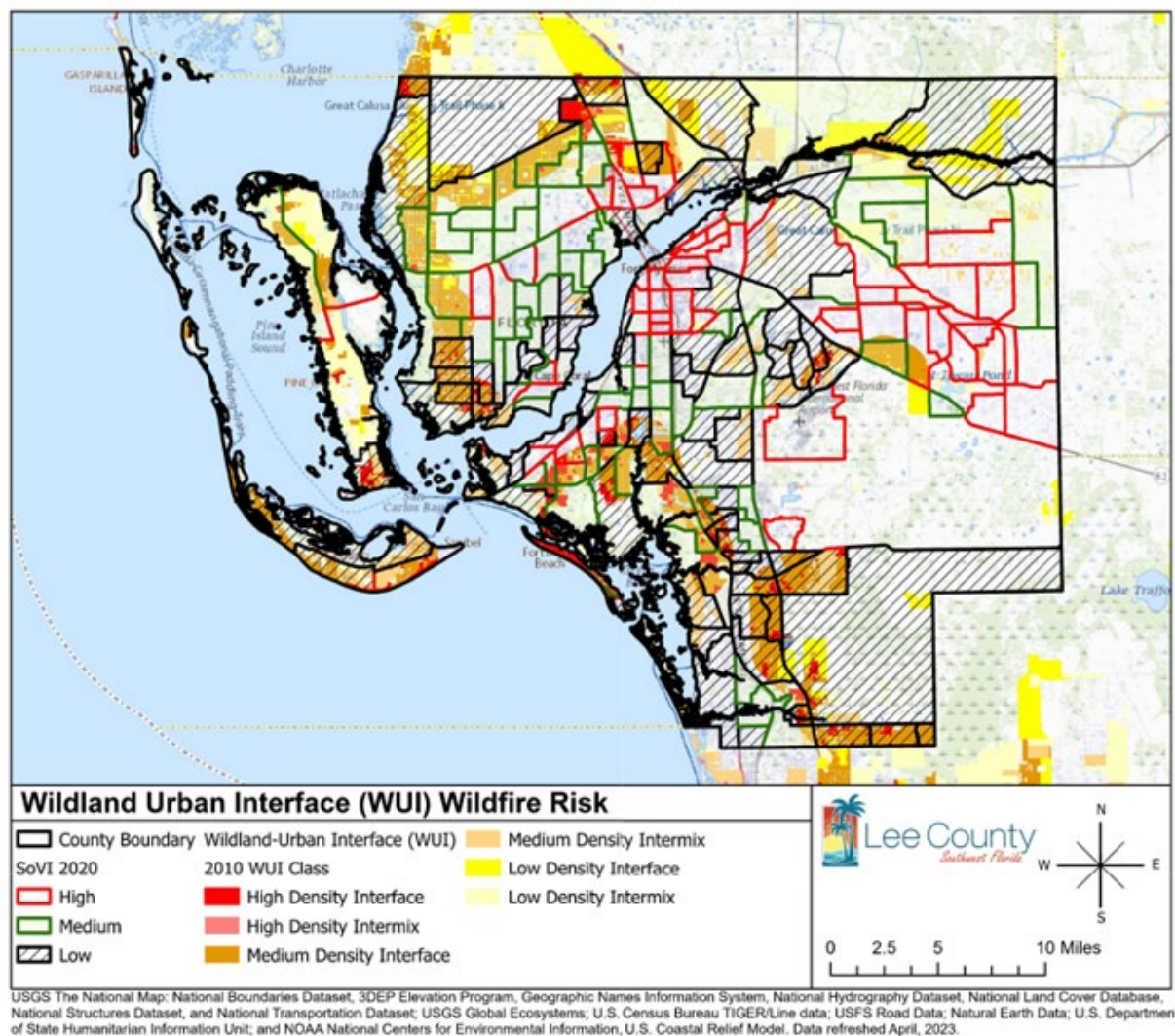


Figure 52 - Lee County Wildland Urban Interface Risk Map.<sup>194</sup>

<sup>193</sup> [Layer: Wildland-Urban Interface \(WUI\) \(ID:6\) \(arcgis.com\), FY 2022 ACS 5-Year 2011-2015 Low- and Moderate-Income Summary Data - HUD Exchange](#)

<sup>194</sup> [Layer: Wildland-Urban Interface \(WUI\) \(ID:6\) \(arcgis.com\), FY 2022 ACS 5-Year 2011-2015 Low- and Moderate-Income Summary Data - HUD Exchange](#)



*Table 72 - The WUI class located in the SoVI index areas.*

WUI Class	High	Medium	Low
High Density Interface	2,668	4,057	5,001
High Density Intermix	61	229	249
Medium Density Interface	7,891	31,555	13,402
Medium Density Intermix	3,461	9,174	13,770
Low Density Interface	3,031	5,525	37,825
Low Density Intermix	14,758	16,282	21,156
<b>Total</b>	<b>31,870</b>	<b>66,822</b>	<b>91,403</b>

Source: Wildland Urban Interface and SoVI data<sup>195</sup>

### Risk of hazard

Wildfires can develop and move quickly, causing damage to structures and having the potential to injure or kill. Beyond the potential catastrophe to life and property, wildfires have several other impacts. Wildfires can damage silviculture, causing loss of wildlife habitat, recreation, and timber. Wildfires produce a significant amount of smoke which can cause respiratory issues to sensitive populations. Additionally, the resources required to fight a wildfire are substantial and can pull firefighters and other emergency personnel away from their normal duties, leaving a vulnerability in other areas of the community.

*Table 73 - The declared disasters for the fire incident/event type in Lee County, FL.<sup>122</sup>*

Name	Event Type	Year	Presidential Declaration	
Florida Extreme Fire Hazard	Fire	1998	DR-1223-FL	No Data
Caloosahatchee Fire Complex	Fire	1999	FSA-2254-FL	\$1,064,337.65
Florida Fire Hazard	Fire	1999	EM-3139-FL	\$1,273,616.40
Caloosahatchee Fire Complex	Fire	2007	FM-2692-FL	\$959,055.00
Florida Lehigh Acres Fire	Fire	2017	FM-5179-FL	\$2,004,861.40

Source: FEMA Open Data Declaration Summaries<sup>196</sup>

<sup>195</sup> [Layer: Wildland-Urban Interface \(WUI\) \(ID:6\) \(arcgis.com\), https://www.vulnerabilitymap.org/](https://www.vulnerabilitymap.org/)

<sup>196</sup> <https://www.fema.gov/data-visualization/disaster-declarations-states-and-counties>

**Mitigation measures**

The risk of wildfire can be mitigated by reducing fuel loads in wildland areas and especially in the wildland urban interface. Reducing the amount of flammable material can reduce the size and speed of a wildfire and make it easier to bring under control for response personnel. On an individual basis, residents can implement a defensible space perimeter around their structures and/or retrofit those structures to be constructed of ignition resistant materials.<sup>197</sup>

Wildfire mitigation for Lee County CDBG-DR related programs and projects will include: (1) science-based project design that conforms to Florida's and Lee County's fire prevention code and (2) Florida and local fire-restrictive building standards and Land Development Code.

Lee County will conform to Florida Building Code and local permitting requirements, which reference the Florida Fire Prevention Code and Life Safety Code. Lee County will balance cost-effectiveness and science-based fire-resistive construction as defined by Florida Building Code. Contractors for WUI area homes will be required to specify their fire-resistive design and materials standards for roofs, and exterior walls, including soffits and windows<sup>198</sup>. Additionally, construction must conform to the Lee County Land Development Fire Safety Code. This code requires fire department access, fire flows, and fire hydrant standards.

**ADDITIONAL HAZARDS**

The hazards mentioned in the previous section are most common and have been the most impactful to the County. Other hazards, as defined by the County's LMS and noted in the State Hazard Mitigation Plan, are less common but still pose a risk to the community and can therefore be mitigated.

- Animal/Plant disease outbreak can cause significant damage to the economy and the environment. As evidenced by the recent pandemic, animal diseases can become communicable to humans and every effort should be made to reduce transmission. Disease is typically caused by outside factors and can be mitigated with appropriate protocols. Lee County has experienced plant-based diseases in the form of Citrus Canker as recently as 2006 which resulted in citrus trees being destroyed resulting in economic loss.<sup>199</sup>
- Algal blooms can be caused by human factors such as excess fertilizer being deposited into bodies of water and by environmental factors such as temperature or rainfall. Algal blooms such as Red Tide and Green-Blue Algae can cause respiratory issues in humans and significant outbreaks can lead to beach closures and subsequent economic impacts. Algal blooms can be mitigated by reducing the human factors that can exacerbate biological activity, such as

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<sup>197</sup> [https://www.fema.gov/sites/default/files/documents/fema\\_funded-wildfire-mitigation-activities.pdf](https://www.fema.gov/sites/default/files/documents/fema_funded-wildfire-mitigation-activities.pdf)

<sup>198</sup> Florida Building Code 7th Edition, ch.6, (2020))

<sup>199</sup> <https://www.news-press.com/story/money/companies/2021/01/07/citrus-trees-florida-lee-homeowners/6561855002/>



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reducing the leeching of nutrients from septic tanks into bodies of water. Algal blooms are an ongoing problem for Lee County residents with health warnings being issued as recently as 2023.<sup>200</sup>

- Coastal erosion can be caused by wind and wave action removing sand from beaches and other coastal areas. This action can expose or even damage infrastructure. Coastal erosion also damages engineered beaches, which are an economic driver for the County. Sea level rise can exacerbate coastal erosion with high water levels bringing wave action more inland. Coastal erosion can be mitigated by maintaining the size and shape of engineered beaches and by installing wave breaks. Environmental harmonious solutions such as constructed oyster beds, mangroves, or marshes can also reduce coastal erosion.
- Droughts occur when an area experiences a rainfall deficit. The lack of rainwater can impact crops, reduces economic capacity, and can lead to residential drinking water wells going dry. Rural residents in the County are more likely to have water wells on their property. While the factors that cause droughts cannot be mitigated, communities can prepare for drought conditions by storing excess water during wetter times. Projects such as aquifer storage and recovery systems or interconnections with more resilient systems can provide water when surface and shallow groundwater sources are scarce.
- Epidemic/Pandemic disease, as evidenced by the recent period of COVID-19, can have dramatic impacts on communities and the economy. Epidemics and pandemics are not localized and require a response from a much larger community than just Lee County. It is feasible to mitigate some of the risk from epidemics and pandemics, but these efforts require largescale buy-in and sacrifice. Disease mitigating measures are typically implemented at the time when an epidemic or pandemic is recognized.
- Excessive Heat is a common occurrence in the state of Florida and is it especially impactful to low income, minority, and working populations as they typically have less access to air-conditioned spaces. The risk of excess heat can be incredibly harmful to humans and cause major short and long-term health impacts. Higher temperatures, lasting for longer durations, are becoming increasingly frequent in southwest Florida. Mitigation measures for excessive heat are becoming more common as temperatures rise due to climate change. These measures can include community cooling systems and the introduction of systems and techniques to reduce heat island effects such as using lighter colored materials and less heat absorbing materials in construction, and by increasing urban tree canopies by planting more trees.

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<sup>200</sup> <https://www.fox4now.com/news/local-news/lee-county/blue-green-algae-bloom-alert-issued-for-lee-county>

- Extreme cold and freezing is another almost yearly hazard in southwest Florida. While freezing conditions typically have a short duration in this geographical area, as little as four hours of below freezing temperatures can have a major impact on crops and therefore the community economy. Extreme cold also has an impact on humans with those impacts falling on disadvantaged communities similar to excessive heat. Individuals lacking permanent shelter or those whose residences are under-heated can be adversely impacted during extreme cold and freeze periods. Extreme cold and freezing temperatures for vulnerable populations can be mitigated by creating communal heated spaces. Individual agricultural entities can institute measures to protect crops during freezing periods.
- Severe weather can encompass multiple hazards at once. It can include strong, straight-line winds, hail, lightning, and other natural phenomenon that can cause significant property damage and bodily harm. The climate of southwest Florida is conducive to the development of severe weather events resulting in a number of these events occurring every year. While the risk of a negative outcome from any one severe weather event is low, the frequency of these events leads to more damaging occurrences and injuries than other, larger natural disasters.

#### 4. LOCAL HAZARD MITIGATION PLAN

##### **Primary Risks and Exposure Identified in LHMP**

The County engaged multiple stakeholders in 2022 to update and clarify the hazards impacting the Lee County community as part of the Joint Local Mitigation Strategy (LMS). The hazards identified are those noted above.

##### **Safety Element of County General Plan**

Mitigation is a consideration in multiple County plans including the Lee County Comprehensive Emergency Management Plan<sup>201</sup> which explains the processes, procedures, and tools put in place to prevent, prepare for, respond to, recover from, and mitigate against the hazards identified in the Hazard Identification and Risk Assessment.

##### **Threat to Community Lifelines**

FEMA has developed the community lifeline program to understand the threats to people and the built environment. The community lifelines include safety and security, food/water/shelter, health and medical, energy, communications, transportation, and hazardous materials. *Table 74* defines how each hazard impacts each community lifeline.

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<sup>201</sup>[https://www.leegov.com/publicsafety/Documents/Emergency%20Management/LeeCountyAPPROVED\\_2019CEMPRedacted.pdf](https://www.leegov.com/publicsafety/Documents/Emergency%20Management/LeeCountyAPPROVED_2019CEMPRedacted.pdf)

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*Table 74 - FEMA Community Lifelines.*

Hazard	Safety and security	Food/water/ shelter	Health and medical	Energy	Communications	Transportation	Hazardous Materials
Flooding	Potential bodily harm	Damage to crops	Damage to medical facilities			Damage to roads and mass transit	Damage or transportation of hazardous material
Storm surge	Potential bodily harm	Damage to crops and water sources	Damage to medical facilities	Damage to power grid	Damage to communications systems	Damage to roads and mass transit	Damage or transportation of hazardous material
Tornadoes	Potential bodily harm		Damage to medical facilities	Damage to power grid	Damage to communications systems		Damage hazardous material facilities
Tropical cyclones	Potential bodily harm	Damage to crops and water sources	Damage to medical facilities	Damage to power grid	Damage to communications systems	Damage to roads and mass transit	Damage or transportation of hazardous material
Wildfires	Potential bodily harm	Damage to crops and water sources			Damage to communications systems		Damage hazardous material facilities
Animal/Plant disease		Damage to crops and animals	Potential medical incidents				
Algal blooms			Potential medical incidents				Direct contribution to pollutant levels
Coastal erosion						Damage to maritime facilities	
Drought		Damage to crops and water sources					
Epidemic/ Pandemic	Potential bodily harm		Potential medical incidents				
Excessive heat	Potential bodily harm	Damage to crops and animals	Potential medical incidents				
Extreme cold/Freeze	Potential bodily harm	Damage to crops and animals	Potential medical incidents				
Severe weather	Potential bodily harm	Damage to crops and water sources	Damage to medical facilities	Damage to power grid	Damage to communications systems	Damage to roads and mass transit	Damage or transportation of hazardous material

Data Source: FEMA, <https://www.fema.gov/emergency-managers/practitioners/lifelines>

## 5. OTHER FUNDING FOR MITIGATION ACTIVITIES

The County will continue to leverage other funding sources to maximize recovery and resiliency with a continued focus on vulnerable populations. The County has identified the below resources:

### **Resilient Florida:**

In 2021, the State of Florida created the Resilient Florida program under the Florida Department of Environmental Protection (FDEP). The goal of the program is to develop and implement projects that can protect coastal and inland areas from the impacts of sea level rise, intensifying storms, and flooding. The total program has over \$500 million in funding available for studies, planning activities, and construction projects. The projects are evaluated to ensure the final project will increase the resiliency of the area and reduce the risk to life and property from sea level rise and flooding hazards.

### **Building Resilient Infrastructure and Communities (BRIC)/Flood Mitigation Assistance (FMA):**

FEMA manages two annual mitigation programs that are nationally competitive but can provide significant funding to merited projects. The two programs, Building Resilient Infrastructure and Communities (BRIC) and Flood Mitigation Assistance (FMA). In fiscal year 2022, the federal government allocated \$2.295 billion for BRIC projects nationally and \$800 million for FMA.

## 6. MITIGATION PROJECT FUNDING

Mitigation projects are being funded by FEMA under HMGP. Under this program, FEMA requires a 25 percent local share, which could potentially be subsidized by CDBG-DR infrastructure funding. HMGP projects not eligible for CDBG-DR due to a lack of tieback to Hurricane Ian or not meeting a national objective, would remain an unmet need for the County. Those projects will be evaluated for mitigation funding under CDBG-DR. The HMGP non-Federal cost share unmet need is estimated at \$377,069,006. Additionally, part or all the funding for mitigation projects not meeting the requirements of HMGP would be a significant unmet need for the County.

### III. GENERAL REQUIREMENTS

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#### A. CITIZEN PARTICIPATION

##### 1. OUTREACH AND ENGAGEMENT

In the development of this disaster recovery Action Plan, Lee 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.

CDBG-DR funded programs will be marketed via direct outreach and wide-spread marketing to promote the likelihood of underserved populations knowing about and partaking in the programs and activities. Lee County and implementation vendors will create a communications plan and conduct outreach to inform the public and potential contractors of funding opportunities. The County will coordinate with municipalities to ensure the public has physical access to program applications throughout the geographic area and will provide for diversity in application entry points, which should include onsite and mobile application sites. The inclusion of diverse marketing and application methods will ensure that applicants who do not have access to a vehicle, who live in more remote areas of the County, and who are least likely to apply for assistance have access to CDBG-DR funded programs.

Lee County will also ensure meaningful access and equal opportunity to programs for individuals with disabilities and persons with limited English proficiency, including appropriate ADA accommodations and translation of vital documents. All planned communication and information gathered through the citizen participation process will be compliant with Lee County Board of County Commissioners policies in support of the Section 504 and Americans with Disabilities Act, the Civil Rights Act Section VI, Lee County Language Access Plan, and HUD provisions of 24 CFR 8.6 for effective communication with applicants, beneficiaries, and members of the public.

##### a) **Lee County Recovery Task Force Town Hall Meetings**

The Lee County Recovery Task Force hosted town hall meetings throughout the County to provide residents the opportunity to participate in planning efforts for the Resilient Lee Recovery and Resiliency Plan. The information gathered through those town hall meetings was considered during the development of the CDBG-DR Action Plan. Input gathered during the town hall meetings was analyzed and the priorities below were identified. While the town hall meetings discussed a variety of topics, only those that fall within the CDBG-DR eligible program categories



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are reflected below.



*Figure 53 – Top Priority CDBG-DR Eligible Activities identified by the public during Recovery Task Force Town Hall Meetings.*

#### **b) Stakeholder Consultations**

Lee 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 throughout the planning process, including these consultation meetings hosted by Lee County with the following stakeholders:

- June 5, 2023: **Town of Fort Myers Beach**, Fort Myers Beach Town Hall

**Summary of Input Received:** Town representatives discussed various planning efforts, including planning and zoning studies for affordable housing development, storm water management, and community land trust planning. The Town discussed support for Hurricane Mitigation Grant Programs (HMGP), including potential voluntary buyout programs. The Town shared some ideas related to economic revitalization and workforce housing initiatives.

- June 5, 2023: **City of Bonita Springs**, Lee County Administrative Offices

**Summary of Input Received:** The City of Bonita Springs provided a list of potential infrastructure projects for discussion. In addition, the City provided a summary of unmet needs, which included the following:

- Lack of qualified housing providers to develop a variety of housing options.
- Lack of alternative transportation options for the households within the city that do not have access to motorized vehicles.
- Lack of access to physical and mental healthcare facilities.
- Lack of public services type activities (e.g., food pantries, housing counseling, etc.).

In addition to the list of unmet needs, city representatives discussed potential planning projects, including septic to sewer conversions and transportation planning. The city discussed the need for workforce housing, specifically for frontline staff and public servants (e.g., teachers, fireman, police, etc.).

- June 8, 2023: **Lee County Departments**, Lee Commission Chambers
  - Public Safety/Emergency Management
  - Utilities
  - Solid Waste
  - Department of Transportation
  - Facilities Construction and Management
  - Parks and Recreation
  - Economic Development
  - Community Development
  - Natural Resources
  - Human and Veteran Services (Homeless Continuum of Care Lead Agency and Entitlement Entity)

**Summary of Input Received:** Departments provided lists of projects with remaining unmet needs. Nearly 80 projects were submitted, the majority being critical infrastructure and mitigation type projects. The estimated total project costs exceed \$1.5 billion. Department representatives asked questions regarding project eligibility, cross cutting requirements, and ensuring that information requested to understand unmet needs was submitted.

- June 8, 2023: **City of Sanibel**, Lee County Administrative Offices

**Summary of Input Received:** City representatives discussed various planning efforts, including main street development, park and ride/complete streets and

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transportation initiatives, comprehensive land management, and broadband planning. The City discussed support for exploration of underground utility installation. The City identified the need for employee housing, mixed income and mixed-use developments, elevation of housing, and new housing development in partnership with the city's land trust organization. The city identified economic revitalization as a need to assist businesses with severe physical impacts resulting from the storm.

- June 8, 2023: **City of Cape Coral**, Lee County Administrative Offices

**Summary of Input Received:** City representatives provided an extensive list of unmet needs and potential projects for discussion.

**Housing:** The City highlighted the importance of providing critical assistance to its most vulnerable populations by repairing damaged homes, expanding access to affordable housing resources, and constructing new homes outside of the existing floodplain. Many homes have experienced damage due to significant surge in the floodplain where rebuilding is unsustainable.

**Infrastructure and Public Facilities and Improvements:** The City emphasized the need for Infrastructure funding to cover the local cost share of disaster grants from the Federal Emergency Management Agency (FEMA) and the Federal Highway Administration (FHWA) and for disaster-related standalone projects not covered by other grant sources.

**Mitigation:** The City expressed their need for mitigation measures to reduce the need for costly post-disaster repairs and bring the City up to appropriate building standards.

**Economic Development and Revitalization:** Building a strong economic base in areas of the city most impacted by Hurricane Ian will help increase the resiliency and the community's ability to withstand future disasters and create opportunities for low- and moderate-income workers.

**Planning and Public Services:** The City expressed interest in developing comprehensive recovery plans that address ongoing community needs related to housing, infrastructure, and economic development.

Although the City of Cape Coral has demonstrated needs in each program category, during consultation they listed housing, planning, infrastructure/public facilities, and public services as their largest needs. The city expressed interest in Down Payment Assistance or Homebuyer Assistance programs, as well as creating opportunities for single-family homeownership. The City indicated they are planning to use state funding sources to support rehabilitation of housing units, as continued need exists. The city discussed public facility hardening as a priority, including the local domestic violence shelter and community services center.

- June 8, 2023: **Village of Estero**, Lee County Administrative Offices

**Summary of Input Received:** The Village of Estero provided a list of potential projects for discussion. Village representatives discussed potential planning projects for redevelopment and revitalization of the Olde Estero District. The Village discussed potential street improvement, septic to sewer conversion, and stormwater management projects. The Village also discussed the potential for several mixed income housing developments and voluntary residential buyouts.

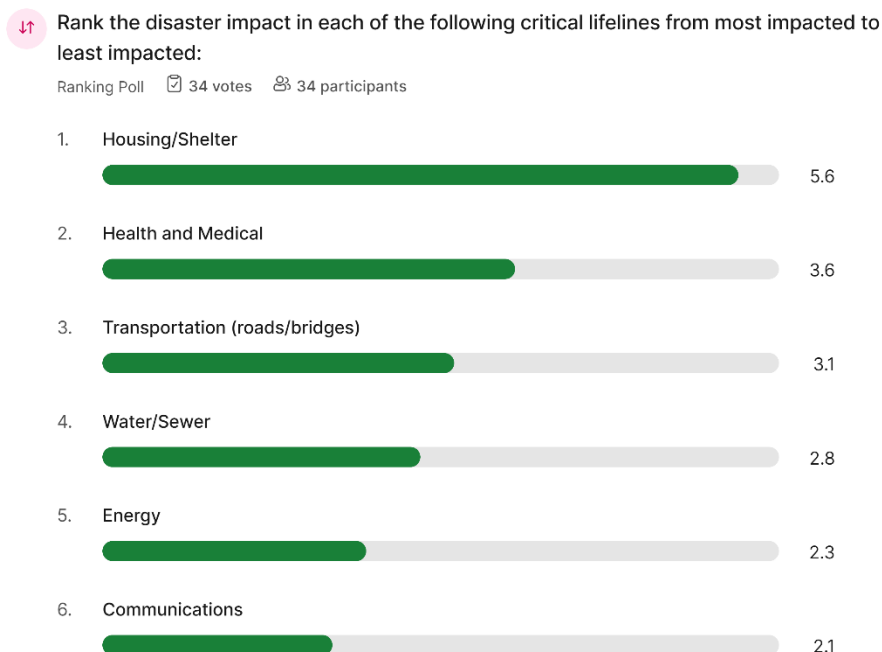
- June 9, 2023: **Non-Profit Partners and Housing Authorities**, Lee County Administrative Offices

- City of Fort Myers Housing Authority
- Lee County Housing Authority
- SalusCare
- Affordable Homeownership Foundation
- The Center for Progress and Excellence
- Community Assisted and Supported Living
- Community Cooperative
- Center for Independent Living Gulf Coast
- Abuse Counseling and Treatment
- Centerstone
- Florida Rural Legal Services
- Catholic Charities Diocese of Venice
- Habitat for Humanity
- Goodwill of SWFL
- Boys and Girls Club
- Salvation Army
- Big Brothers Big Sisters

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- Lutheran Services
- Family Health Centers of SWFL
- All Hands and Hearts
- Area Agency on Aging
- Early Learning Coalition of SWFL
- Lee County Housing Development Corporation
- Hope Clubhouse
- Lee Health
- Sally J. Pimentel Deaf and Hard of Hearing Center
- Children’s Advocacy Center
- United Way
- FISH of San Cap
- The Heights Center
- Quality of Life Center

**Summary of Input Received:** Representatives from more than 30 non-profit partner organizations provided input regarding unmet needs resulting from Hurricane Ian. During consultation, representatives completed polls ranking the most disaster impacted critical lifelines from most severe to least severe. The results of the poll are below.



*Figure 54– Non-profit and Housing Authority Consultation Poll Results*



Following input received through the poll, the group discussed specific remaining unmet needs in each of the top three impacted lifelines. The group discussed affordable housing as a top priority need, emphasizing the importance of affordable housing for a sustainable workforce. The group emphasized the importance of housing counseling, foreclosure prevention, and assisting with damaged rental properties to ensure households can remain stably housed. Representatives from local nonprofit organizations emphasized the need for assistance to elderly homeowners, many of whom were uninsured or underinsured at the time of the storm. The group agreed that reconstruction and rehabilitation of homes should be done with mitigation and resiliency measures in mind. The group discussed exploring alternatives to reconstructing mobile homes on barrier islands and developing housing outside of flood prone areas. The group also suggested flood mitigation measures for housing units.

Access to health and medical services, specifically behavioral health, was the second priority for the group. Representatives from local children's services organizations shared that there have been significant increases in maltreatment of children, domestic violence, and behavioral health needs since the storm.

Access to transportation was a third priority for the group. Representatives indicated that many clients had lost cars in the disaster, and due to increasing car insurance rates, many have not been able to replace their cars. Transportation networks to and from the barrier islands were cited as a significant need.

- June 13, 2023: **City of Fort Myers**, Fort Myers City Hall

**Summary of Input Received:** City representatives discussed various potential project ideas. A top priority for the City of Fort Myers is water and sewer infrastructure, followed by support for the rehabilitation and expansion of their small business enterprise center. The City discussed the need for communications plans to traditionally marginalized groups, as well as direct outreach programs, including door-to-door campaigns, upon program launch. City representatives expressed support and need for housing rehabilitation and housing development projects.

Notification regarding consultation meetings was provided via direct email to stakeholders and municipality partners.

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Notification regarding public meetings was provided via press release, social media, website, email newsletter, and contacts with neighborhood organizations. Notices of meetings and public comment periods, as well as information regarding requesting language interpretation or accessibility accommodations were published in English and Spanish.

In addition to the activities above, Lee County has published this Action Plan on the CDBG-DR Recovery website here: <https://www.leegov.com/recovery/cdbg-dr> for a 30-day public comment period. Citizens were notified through press release, social media, website, email newsletter, and contacts with neighborhood organizations. Lee County 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 Lee County responses, is in Appendix F of this document. For more information, citizens can refer to Lee County's Citizen Participation Plan that can be found at <https://www.leegov.com/recovery/cdbg-dr>.

#### **c) Public Comment**

The draft Action Plan was available on Lee County's website for public comment between August 1, 2023, and August 31, 2023. A Spanish language executive summary of the Action Plan was provided to ensure access for households who may have limited English proficiency. Public comment was accepted via online webform, email, or in-person during public hearings. A summary of all comments received, and the County's responses are attached in Appendix F.

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## 2. PUBLIC HEARINGS

Public meetings soliciting input regarding the use of CDBG-DR funds, and the draft Action Plan were held in-person at the following times and locations:

Date/Time	Location
August 2, 2023, 5:30 pm	City of Bonita Springs, City Hall 9101 Bonita Beach Road, Bonita Springs, FL 34135
August 3, 2023, 6:00 pm	Cape Coral City Council 1015 Cultural Park Blvd., Cape Coral, FL 33990
August 10, 2023, 5:30 pm	North Fort Myers Recreation Center 2000 N. Recreation Park Way, North Fort Myers, FL 33903
August 15, 2023, 5:00 pm	Town of Fort Myers Beach DiamondHead Beach Resort, 2000 Estero Blvd., Fort Myers Beach, FL 33931
August 16, 2023, 5:30 pm	Veterans Park 55 Homestead Rd., Lehigh Acres, FL 33936
August 22, 2023, 5:30 pm	The Heights Center 15570 Hagie Dr., Fort Myers, FL 33908
August 23, 2023, 5:30 pm	Fort Myers City Council, Stars Complex 2980 Edison Ave, Fort Myers, FL 33916
August 24, 2023, 5:30 pm	Pine Island Elementary School 5360 Ridgewood Dr., Bokeelia, FL 33922
August 31, 2023, 5:30 pm	City of Sanibel, Big Arts Center 900 Dunlop Rd, Sanibel, FL 33957

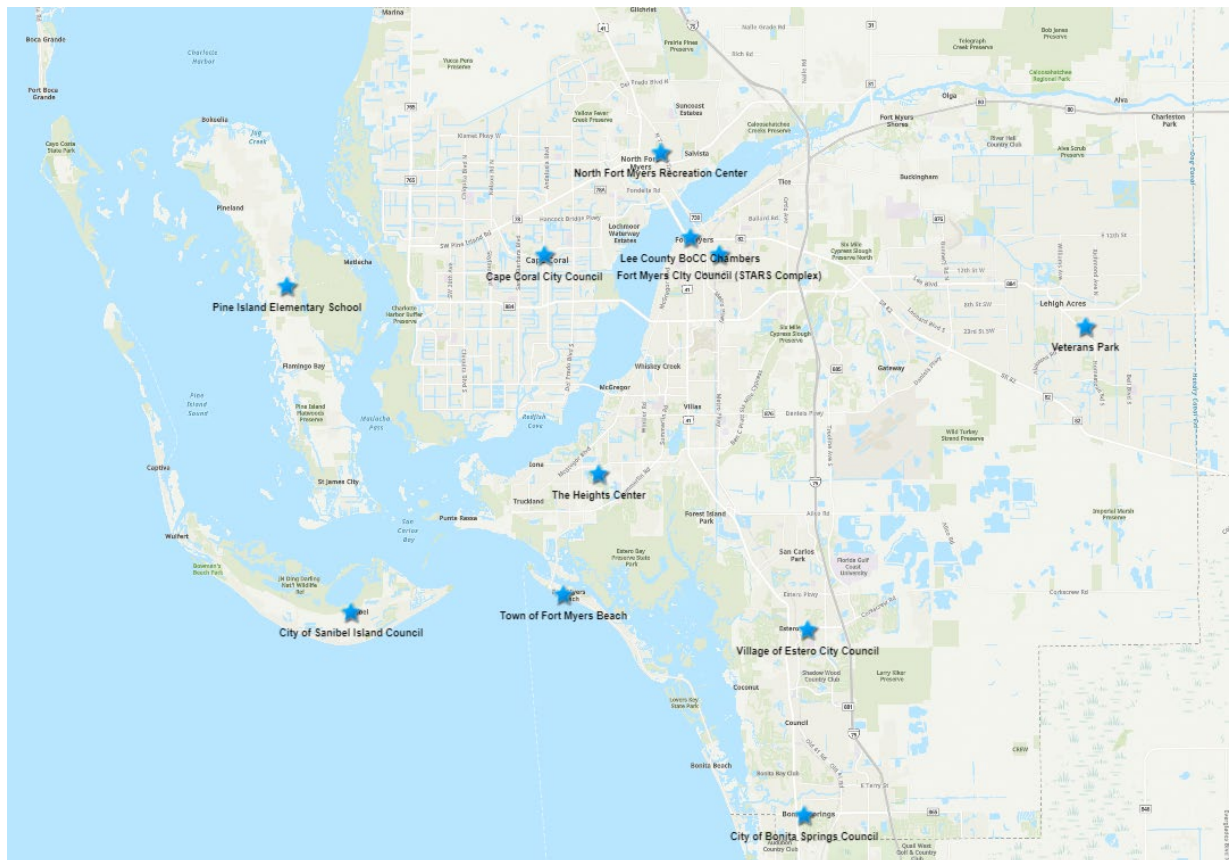


Figure 55 - Public Meeting Locations

Notification regarding all public meetings and the public comment period was distributed via press release, social media, website, email newsletter, and contacts with neighborhood organizations. A press release with the meeting schedule was published on July 24, 2023. Notification regarding the availability of translation services and ADA accommodations for all meetings was made available in English and Spanish within the press release. Several news outlets provided written and on-air coverage of the meeting schedule, and some media were present at meetings. The schedule of public meetings was distributed to local non-profit organizations through Lee County's Human Services Information Network, which provides regular information and updates to more than 500 non-profit and faith-based organizations. Social media posts were made on August 9, 2023, August 14, 2023, and August 21, 2023.

Approximately 196 residents and stakeholders were present at the public meetings. A basic overview of the CDBG-DR process and proposed programs was provided at each meeting, along with question-and-answer sessions, and opportunity for residents to provide input verbally, through written comment cards, or through online survey form. A summary of comments received at each meeting is provided below.

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**a) City of Bonita Springs**

City Council members asked several clarifying questions about the Long-Term Recovery Task Force and housing programs. Two members of the public spoke regarding commercial corridor revitalization programs. Inquiries were made about when applications for funding will be made available, and specific program guidelines, such as expected rental housing rates for CDBG-DR assisted projects.

**b) Cape Coral City Council**

Public and stakeholders presented questions regarding the development of affordable housing and assistance to individual homeowners.

**c) North Fort Myers Recreation Center**

Public and stakeholders presented questions regarding assistance to individual households, specifically those residing in mobile homes. Input was provided regarding the need for infrastructure, specifically roadway repairs, in North Fort Myers. Some attendees presented regarding the provision of assistance to small rental property owners, specifically regarding potential duplication of benefits and continued affordability of rent after assistance is provided.

**d) Town of Fort Myers Beach**

Attendees voiced the need for an economic revitalization program to be included within the draft Action Plan. Attendees also voiced support for housing assistance programs.

**e) Lehigh Acres**

Public present at the Lehigh Acres meeting asked questions related to individual housing, multi-family housing development, and infrastructure, and expressed particular interest mitigating the impacts of future storms through infrastructure projects.

**f) Harlem Heights**

Attendees at Harlem Heights presented concerns over income limits restricting access to assistance for households who may have income above 80 percent AMI. One attendee expressed concern over the proposed 5-year mortgage placed on homes assisted with CDBG-DR funds. General questions were presented regarding affordability of housing assisted with CDBG-DR funds, and methods to prevent fraud, waste, and abuse.

**g) City of Fort Myers**

Residents present voiced concerns about housing affordability and the quality of existing affordable housing stock within the County. Some attendees asked questions regarding the planned NOFA process, specifically requesting for NOFA applications and award information to be made available to the public. Questions regarding the availability of relocation assistance were



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presented, along with a brief discussion regarding the inclusion of economic development programs within the Action Plan.

**h) Pine Island**

Members of the public presented concerns regarding immediate housing need, including assistance for low-income households to make necessary repairs to their homes. Support for infrastructure improvements on the Island was voiced by many attendees. Representatives from the Greater Pine Island Water Association expressed concern regarding the application process for funds and provided a list of proposed projects to County staff.

**i) City of Sanibel**

Attendees voiced the need for an economic revitalization program to be included within the draft Action Plan. Others discussed the need for repairs to affordable housing units on the Island, as well as the new development of affordable housing units. One attendee asked about the mitigation and resiliency planning program, and efforts that are planned to ensure more resilient structures will be constructed using CDBG-DR funds.

### **3. COMPLAINTS**

Lee County strives to help meet the needs of all beneficiaries and subrecipients while following the applicable federal, state and/or Lee County regulations and guidelines governing each program. However, there may be instances in which a subrecipient or beneficiary wishes to file a complaint. A complaint is defined as a written or verbal statement or grievance that a situation or behavior is unsatisfactory or unacceptable: (1) a Fair Housing or other discriminatory allegation; (2) an allegation of fraud, waste, or abuse; and/or (3) communication of dissatisfaction of a program and/or personnel. It is the policy of Lee County to provide a clear and fair process for beneficiaries and subrecipients to file a complaint regarding their service or appeal a decision regarding their case.

Beneficiaries or subrecipients have the right to discuss their concerns regarding the eligibility determination, delivery of service, staff actions and/or perceived violation of their rights in a constructive manner.

When appropriate, the County encourages applicants or subrecipients to try to resolve their concerns or disputes directly with a staff person before engaging in a grievance process. If those efforts do not resolve the issue, they may engage the formal complaint procedure. Concerns that are sensitive in nature where the applicant or subrecipient is afraid to address the issue directly with a staff person, should go directly to the Program Manager.

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Beneficiaries and subrecipients may express their concerns in writing to the email or mailing address below.

Strategic Resources and Government Affairs staff will investigate the complaint and provide a written response to the beneficiary or subrecipient within 15 working days after receipt of the complaint.

Complaints will be handled sensitively and fairly. A thorough review of any applicable program documentation and contractual agreements will be conducted, as well as careful implementation of policies and procedures, and clear and respectful methods of communication will be used to help prevent and resolve complaints.

The Lee Board of County Commissioners will hear complaints or grievances from the public regarding the development of the Action Plan as well as any substantial amendments to the Action Plan.

The public may submit complaints related to CDBG-DR funded activities through any of the following means:

- Via email at: [recovery@leegov.com](mailto:recovery@leegov.com)
- Online at: [www.leegov.com/recovery/cdbg-dr](http://www.leegov.com/recovery/cdbg-dr)
- Mailed to:  
Lee County Government County Administration  
c/o Strategic Resources and Government Affairs  
PO Box 398  
Fort Myers, FL 33902

The complaint will clearly state what the activity and associated program is, the nature of the complaint or grievance, and the name, address, and day and evening telephone numbers of the person filing the complaint. Upon receipt of a complaint, County staff will prepare a written substantive response to the complainant within 15 working days.

If necessary, complaints or grievances will be heard in a timely fashion by the Lee County Manager or Assistant County Manager.

The process for complaints regarding fraud, waste, or abuse of government funds can be found

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at [www.leegov.com/recovery/cdbg-dr](http://www.leegov.com/recovery/cdbg-dr).

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.com](mailto:hotline@hudoig.com)). Lee County will make available to HUD detailed Fraud, Waste, and Abuse Policies and Procedures on the Recovery website located at: [www.leegov.com/recovery/cdbg-dr](http://www.leegov.com/recovery/cdbg-dr) to demonstrate adequate procedures are in place to prevent fraud, waste, and abuse.

### **Appeals**

An appeal is a written dispute requesting a reversal or revision of a determination that affects eligibility and/or assistance. Appealable decisions may include determinations of eligibility, award amount, inspection results, and funding requirements.

Policies that have been approved and incorporated by a program, statutory and regulatory requirements/guidelines, may not be appealed. Lee County will implement appeals processes for beneficiaries and subrecipients related to program eligibility and program application process. Details of the point of contact and procedure for submitting the appeal will be detailed in the appropriate program policies and procedures.

## **B. PUBLIC WEBSITE**

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

These items are made available through <http://www.leegov.com/recovery/cdbg-dr>. Specifically, Lee County will make the following items available: the Action Plan created using Disaster Recovery Grant Reporting (DRGR) system (including all amendments); each Quarterly Performance Report (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, Lee County 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 quarterly.

The website is navigable by all interested parties from the Lee County homepage and links to the disaster recovery website. All materials are published in a form accessible to persons with disabilities and LEP individuals. All websites and documents are translated in accordance with Lee County Limited English Proficiency Policy and Plan

([https://www.leegov.com/civilrights/Documents/FY23-24 Lee TitleVI Nondiscrimination%20%20LEP%20Plan%20061223.pdf](https://www.leegov.com/civilrights/Documents/FY23-24%20Lee%20TitleVI%20Nondiscrimination%20%20LEP%20Plan%20061223.pdf)), and Lee County's Language Access Plan. The website is able to be translated to a variety of languages, including Spanish, using one-click translation at the top of each page.

The website is maintained in a manner that is accessible to persons with disabilities, in accordance with 24 CFR 8.6, and Lee County's ADA policies outlined here: <https://www.leegov.com/ada>. These documents are made available on the County's official disaster recovery website, <https://www.leegov.com/recovery/cdbg-dr> to ensure the public knows how all funds are used and administered.

The CDBG-DR section of the recovery website is updated at least quarterly by the Office of Strategic Resources and Government Affairs or by the Lee County Community Engagement department in accordance with the requirements of the federal register and the Lee County Website Standards Guidebook.

## C. AMENDMENTS

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

Amendments will clearly identify the changes including what content is being added, deleted, or changed, and will include a chart or table that clearly illustrates where funds are coming from and to where they are being moved. Further, any changes resulting in a budget amendment will include a revised budget allocation table that reflects the entirety of all funds.

### 1. SUBSTANTIAL AMENDMENTS

A substantial amendment to the CDBG-DR Action Plan is defined as follows:

- a. A change in program benefit or eligibility criteria;
- b. The addition or deletion of an activity;
- c. The allocation or reallocation of funds which exceeds or is expected to exceed 5 percent of the current total approved budget;
- d. A material change occurs. A material change is a change in circumstances within Lee County that affects the information on which the Action Plan is based to the extent that the analysis or the priorities and goals of the Action Plan no longer reflect actual circumstances. Examples include Presidentially declared disasters, under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), that are of such a nature as to significantly impact the anticipated beneficiaries; project or activity scope; significant demographic changes; new significant contributing factors or unmet needs in the jurisdiction; and/or
- e. Upon HUD's written notification specifying a material change that requires the revision.

Substantial amendments are subject to the citizen participation process. Therefore, a public notice of the proposed substantial amendment will be issued and will allow for a 30-day public comment period. When Lee County pursues the substantial amendment process, the amendment will be posted at <https://www.leegov.com/recovery/cdbg-dr> for a 30-day public comment period. The amendment will be posted in adherence with ADA and LEP requirements. Lee County will review and respond to all public comments received and submit to HUD for approval.



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Notice of the amendments will be posted on the Lee County CDBG-DR website, which is accessible through any internet connection, including those at public libraries. Comments or views received orally or in writing will be considered in preparing the substantial amendment. A summary of the comments or views and Lee County's responses will be included with the final substantial amendment to the CDBG-DR Action Plan.

## **2. NON- SUBSTANTIAL AMENDMENTS**

Non-Substantial Amendments include 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 Lee County will notify HUD five (5) business days before the change is effective.

Every amendment, substantial or not, is numbered sequentially and posted on 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, Lee County will coordinate with all subrecipients, implementation vendors, and Lee County departments to minimize displacement. Should any proposed projects or activities cause the displacement of people, the County will adopt a Residential Anti-Displacement Relocation Assistance Plan (RARAP) policy to ensure the requirements of Uniform Relocation Assistance and Real Property Acquisition Act of 1970 (URA), as amended, are met.

Lee County will plan and implement programs that minimize, whenever possible, the displacement of individuals and families. To lessen the adverse impacts of any displacement that may occur Lee County will provide relocation activities as described in 24 CFR 42, 24 CFR 570.606, and 49 CFR 24.2(d)(1) through (6). Lee County will ensure the requirements of Uniform Relocation Assistance and Real Property Acquisition Act of 1970 (URA), as amended are met through adoption of a RARAP.

The County has budgeted for temporary and permanent voluntary relocation activities within the Individual Housing, Rehabilitation, Reconstruction and Elevation and Voluntary Residential Buyout Programs described in this plan. The RARAP will describe specific relocation activity budget caps for relocation activities for any CDBG-DR funded programs that displace either homeowners or tenants.

Lee County plans to minimize displacement of persons or entities and assist persons or entities displaced because of implementation of a project utilizing CDBG-DR funds. Neither the RARAP policies nor the provisions outlined in this plan are intended to limit the ability of the County or any subrecipients from conducting buyouts or acquisitions for destroyed or extensively damaged units or units in a floodplain. All buyout programs undertaken in Lee County are voluntary, and Lee County will not use eminent domain for any CDBG-DR related activity.

## E. PROTECTION OF PEOPLE AND PROPERTY

Lee County and its political subdivisions are responsible for the preservation of life, property, and the environment during times of disaster. Many of the projects and activities outlined within this plan align with the [Joint Local Mitigation Strategy](#), which forms the foundation for minimizing the risks posed to life and the built and natural environments through the implementation of short- and long-term mitigation strategies. In conjunction with prevention, protection, preparedness, response, and recovery efforts, the strategy builds resiliency into the communities that make up Lee County and its political subdivisions. See Section III.E. for more information regarding Lee County's Preparedness, Mitigation and Resiliency efforts.

Lee County intends to promote high quality, durable, energy-efficient, sustainable, and mold-resistant construction methods in areas impacted by the disaster. All new construction, rehabilitation, and reconstruction must meet all local and state building codes, standards, and ordinances. Future property damage will be minimized by requiring that any rebuilding is done according to the best available science for that area with respect to base flood elevations. Details related to specific categories, construction standards, and mitigative requirements will be provided in the program policies and procedures. See Section III.E.3. for additional information regarding construction standards.

### 1. ELEVATION STANDARDS

To ensure future flood resistance and the safety of local residents and visitors, Lee County will ensure that contractors and subrecipients comply with elevation standards established by FEMA and its National Flood Insurance Program (NFIP) defined at 44 CFR 59.1, Insurance and Hazard Mitigation, and 24 CFR 55.2(b)(10). All programs for new construction and repair of substantially damaged or substantially improved structures will meet these guidelines:

- 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 floor, 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 the FEMA-designated base flood elevation.
- **Structures in the 500-year floodplain** must be elevated at least three feet above the 100-year floodplain. FEMA Flood Insurance Rate Maps (FIRMs) for Lee County, which were updated effective Nov. 17, 2022, to incorporate advanced wave and surge modeling,

include designated 0.2 percent chance (500-year) floodplains with specified base flood elevations. If any exceed three feet above the 100-year floodplain, the higher standard will be used.

- **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. Activities subject to elevation requirements must comply with applicable federal accessibility mandates.

Through local flood hazard ordinances, the Lee County Board of County Commissioners (Ord. 22-30) and all local jurisdictions adopt compliance to FEMA and NFIP elevation standards into their land development codes. These ordinances also comply with the Florida Building Code that incorporates the standards of the NFIP and ASCE 24-14, Flood Resistant Design and Construction.

All Lee County jurisdictions participate in the NFIP and are subject to annual compliance reviews of elevation certificates and site visits on three-to-five-year cycles. Unincorporated Lee County, the Cities of Bonita Springs, Cape Coral, and Sanibel, and the Town of Fort Myers Beach have Class 5 ratings and are subject to cycle visits every three years. The Village of Estero is Class 6, and the city of Fort Myers is Class 9; both are subject to visits every five years. All communities have experience and capacity to meet NFIP elevation requirements and have proven compliance in maintaining elevation certificate records. Elevation compliance reviews will be conducted as part of the routine issuing of building permits for all projects. Lee County will ensure that all work funded by CDBG-DR is properly permitted and inspected.

Note that basement construction is rare in Lee County; stem wall and slab-on-grade construction prevails in the A Zones and construction on piers prevails in the V and Coastal A zones.

Currently, property owners have applied privately for elevation permits for post-Hurricane Irma repair. Analysis of permits in Unincorporated Lee County and in Sanibel yielded an estimated average of \$145 per horizontal square foot. For the FEMA-funded Hazard Mitigation Grant

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Program, Lee County consultants independently estimated the county-wide elevation cost as \$158 per square foot of the horizontal footprint and additionally evaluated that this amount met FEMA benefit/cost analysis standards for HMGP eligibility. Lee County will use the conservative estimate of \$160 per horizontal square foot in forecasting the cost of elevations.

The continual validation of HUD-funded and privately funded local elevation projects will help ensure that Lee County meets HUD guidelines for determining reasonable cost, including:

- The cost is recognized as ordinary and necessary for the operation of the project.
- The cost favorably compares to market prices for comparable goods or services as evidenced by cost estimates and documentation.
- The individuals responsible for incurring the cost acted with prudence and for the benefit of the organization and its activities.
- The cost has been incurred after following the established practices of the organization, in accordance with the terms and conditions of the award.

Elevation projects will be selected to optimize cost benefits of reducing federal, state, and local expenses for repetitive loss properties; implementing hazard mitigation and resiliency best practices; and protecting the economic and social benefits of preserving housing units and neighborhood culture for low-and-moderate income households and communities for persons 55 and older.

## 2. FLOOD INSURANCE STANDARDS

In addition to complying with all general federal flood insurance requirements, HUD-assisted property owners must comply with provisions specifically tied to receiving disaster response assistance. Section 102(a) of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4106), requires that recipients of financial assistance maintain flood insurance. Lee County will ensure that property owners in a Special Flood Hazard Area obtain and maintain flood insurance in the amount and duration prescribed by FEMA's National Flood Insurance Program (NFIP) regardless of whether there is a federally backed mortgage on the property.

Lee County will not provide disaster assistance for the repair, replacement, or restoration of a property to a person who failed to obtain and maintain flood insurance required as a condition for previous receipt of federal flood disaster assistance in accordance with the National Flood Insurance Reform Act of 1994.



For CDBG-DR properties located outside the SFHA, HUD cannot mandate that flood insurance be purchased and maintained, but Lee County will encourage subrecipients and property owners to follow the best practice. Encouraging local property owners to get flood insurance is a best practice supported by annual messaging in the Lee County Multijurisdictional Program for Public Information, an NFIP Community Rating System program, adopted by all local governments in Lee County.

In addition, Lee County will monitor compliance with flood insurance standards listed at 24 CFR 58.6 to ensure that:

- Flood insurance is provided through the National Flood Insurance Program (NFIP).
- Properties within Lee County's Coastal Barrier Resources Act areas, as amended by the Coastal Barrier Improvement Act of 1990 (16 U.S.C. 3501), may not receive HUD assistance.
- Property owners, sellers, and buyers are notified if the property is in a Runway Clear Zone or Clear Zone as defined in 24 CFR part 51 and are informed that the property may later be acquired by the airport operator. The buyer must sign a statement acknowledging receipt of this information.

When a homeowner located in the floodplain allows their flood insurance policy to lapse, it is assumed that the homeowner is unable to afford insurance and/or is accepting responsibility for future flood damage to the home. Higher income homeowners who reside in a floodplain, but who failed to secure or decided to not maintain their flood insurance, should not be assisted at the expense of lower income households. To ensure that adequate recovery resources are available to assist lower income homeowners who reside in a floodplain but who are unlikely to be able to afford flood insurance, HUD has established that CDBG-DR funds are prohibited from providing CDBG-DR assistance for the rehabilitation or reconstruction of a house in a floodplain, if:

- The combined household income is greater than either 120 percent of AMI or the national median;
- The property was in a floodplain at the time of the disaster; and
- The property owner did not obtain flood insurance on the damaged property, even when the property owner was not required to obtain and maintain such insurance.

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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.

### 3. CONSTRUCTION STANDARDS

Lee County emphasizes proper assessment of damage and classification of the recovery solution to ensure use of high-quality, durable, sustainable, and energy efficient construction methods and materials. Local government has the responsibility for enforcement, interpretation, and regulation and the County will require quality and code compliance inspections on all projects. The County will require construction standards set by the International Code Council (I-Code) from which Florida's Building Code and Lee County's Land Development Code are based. FORTIFIED<sup>202</sup> standards may be used for residential construction and rehabilitation projects so long as materials and labor are cost-effective for the project type.

All rehabilitation, reconstruction, or new construction must meet an industry-recognized standard as outlined in Consolidated Notices II.B.2.a. Depending on the recovery program and activity, the specific standard that meets the program need will be defined in the project file and the policies and procedure for the specific response. LEED<sup>203</sup> or Florida Green<sup>204</sup> certified will be the preferred standard for commercial office buildings and multifamily residential buildings while ICC 700 National Green Building Standards or Florida Green<sup>205</sup> will be the preferred standard for single-family residential construction, development, and renovation.

For rehabilitation of non-substantially damaged residential buildings, Lee County will follow the guidelines to the extent applicable to the building type being retrofitted, as specified in the HUD CPD Green Building Retrofit Checklist. When older or obsolete products are replaced as part of rehabilitation work, the project is required to use the materials and equipment specified in the checklist (e.g., Energy Star-qualified, Water Sense-labeled, or Federal Energy Management Program (FEMP)-designed products and appliances).

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<sup>202</sup> <https://fortifiedhome.org/>

<sup>203</sup> <https://www.usgbc.org/guide-LEED-certification>

<sup>204</sup> <https://floridagreenbuilding.org/certification/>

<sup>205</sup> <https://floridagreenbuilding.org/certification/>

For infrastructure projects, Lee County will encourage, to the extent practicable, implementation of sustainable planning, and design methods that promote adaptation and resilience.

All projects and activities must comply with Lee County regulations that are consistent with, or more stringent than, the flood resistant construction requirements in the Florida Building Code and applicable floodplain management regulations set forth in 44 C.F.R. Part 60.

Lee County will incorporate mitigation measures for all construction activities as described in Consolidated Notice II.A.2.b. Resilience performance metrics, as described in Consolidated Notice II.A.2.c will be established for new constructions, reconstructions, or residential and non-residential rehabilitations. The standard will show an estimate of the projected risk to the completed activity from natural hazards, identification of the mitigation measures that will address the projected risks, and an assessment of the benefit of the grantee's measures through verifiable data. Contractor compliance with Florida's adopted IBC and IRC ensures compliance with FEMA's hazard-resistant building code (2018 or later IBC and IRC) that is consistent with National Flood Insurance Program, and incorporates best practices identified in post-disaster investigations.

#### **a) COST CONTROLS**

All projects will be subject to cost reasonableness standards as outlined in the policies and procedures of the program specific to the applicable activity. Per 2 CFR 200.404, "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 to incur the cost." Lee County will evaluate the estimated costs of all projects prior to final award and aim to ensure limited change orders, whenever possible. Costs will be evaluated based on the following:

- The cost is recognized as ordinary and necessary for the project.
- The cost is in accordance with market prices for comparable goods or services as evidenced by cost estimates and documentation.
- The individuals responsible for incurring the cost acted with prudence and for the benefit of the organization and its activities.
- The cost has been incurred after following the established practices of the organization, in accordance with the terms and conditions of the award.<sup>206</sup>

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<sup>206</sup> <https://www.hudexchange.info/programs/multifamily-housing/financial-management-toolkit/9-basics-of-cost-allocation/9b-reasonable-costs/>

## 4. CONTRACTOR STANDARDS

Recovery programs implemented by Lee County will incorporate uniform best practices of construction standards for all construction contractors performing work in all relevant jurisdictions. The contractors will be provided descriptions of the required construction standards based on the program and projects as outlined in the policy and procedures. Construction contractors must carry required licenses and insurance coverage(s) for all work performed. Contractors will be required to provide a warranty period of at least 12 months for all work performed. Contractor standards will be enumerated for each program in respective policies and procedures documents and will pertain to the scale and type of work being performed, including the controls for assuring that construction costs are reasonable and consistent with market costs at the time and place of construction.

Lee County will ensure that procurement for all construction contractors is undertaken in accordance with 2 CFR 200. Implementation vendors will be required to provide bid documentation to demonstrate the fair and open competitive application process when requesting reimbursement for construction related costs. Lee County and its implementation vendors will manage the construction process for the rehabilitation or reconstruction of damaged homes on behalf of homeowners, including regular inspections to prevent contractor fraud, poor quality work, and associated issues.

Lee County promotes high quality, durable, and energy efficient construction methods. All construction contractors must ensure that their work meets all locally adopted building codes, standards, and ordinances as evidenced by final certificate of occupancy in addition to meeting the Florida Building Code. In cases of conflicting standards, the more restrictive and higher standard will prevail. Future property damage will be minimized by incorporating resilience standards through requiring that any rebuilding be done according to the best available science for that area with respect to base flood elevations and the incorporation of at least one HUD approved construction standard outlined in Consolidated Notice II.B.2.a. through II.B.2.d.

Rehabilitation and new construction contract work provided through the Lee County CDBG-DR program described in this Action Plan may be appealed by property owners (as applicable) whose property was repaired or replaced by contractors under the control of Lee County or one of its implementation contractors. Appeals must comply with the policies and procedures of the specific program under which the property was rehabilitated. Additional appeals information is contained in the “Complaints” section of this Action Plan. Beneficiaries will be provided a mechanism to respond to contractor fraud, poor quality work, and associated issues.

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**a) SECTION 3 COMPLIANCE**

Contractors selected by Lee County to perform work under CDBG-DR 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.

Lee County's Section 3 Plan outlines how Lee County and its subrecipients, contractors, and subcontractors will comply with HUD's Section 3 requirements in implementing all of Lee County's HUD funded programs. Lee County will, to the greatest extent feasible, ensure that employment and other economic opportunities are directed to low- and very low-income persons (Section 3 workers and Targeted Section 3 workers) and to eligible businesses (Section 3 Businesses) and requires the same of its contractors.

Contractors and subcontractors should make best efforts to provide employment and training opportunities to Section 3 workers within Lee County in the priority order listed below:

1. Section 3 workers residing within the service area or the neighborhood of the project; and
2. Participants in YouthBuild programs.

Contractors and subcontractors must make their best efforts to award contracts and subcontracts to business concerns that provide economic opportunities to Section 3 workers in the following order or priority:

1. Business concerns that provide economic opportunities to Section 3 workers residing within the metropolitan area (or non-metropolitan county) where assistance is available, in the following order of priority (where feasible):
  - a. Section 3 business concerns that provide economic opportunities to Section 3 workers residing within the service area or the neighborhood of the project; and
  - b. YouthBuild programs.

Contractors and subcontractors will be required to certify that they will and have made best efforts to follow the prioritization requirements prior to beginning work and after work is completed.

To assist contractors with meeting or exceeding the Section 3 goals, Lee County will do the following:



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1. Maintain a local Section 3 worker/Targeted Section 3 worker database and provide the contractor with a list of interested and qualified Section 3 workers and Targeted Section 3 workers and contact information. (<https://www.hacfm.org/doing-business/section-3/>)
2. Share the County's Section 3 Plan with contractors and subcontractors and explain policies and procedures.
3. Encourage contractors wishing to submit a bid/offer/proposal to attend a pre-bid/proposal meeting.
4. Require contractor to sign the Section 3 Plan.
5. Review Section 3 benchmarks and prioritization of effort with contractors and subcontractors to ensure that the goals are understood. It is not intended for contractors and subcontractors to terminate existing employees, but to make every effort feasible to meet Section 3 benchmark goals by utilizing existing qualified workforce and by considering qualified eligible Section 3 workers and Targeted Section 3 workers (per the prioritization of effort outlined in Section 3) before any other person, when hiring additional employees is needed to complete proposed work to be performed with HUD Funded Projects.
6. At the time of bid, require the contractor to present a list, of the number of total labor hours, Section 3 worker labor hours, and Targeted Section 3 worker labor hours expected to be generated from the initial contract and a list of projected number of available positions, to include job descriptions and wage rates.
7. Inform contractors about the HUD Section 3 Opportunity Portal <https://hudapps.hud.gov/OpportunityPortal/>
8. Require contractors to notify Section 3 Coordinator of their interests regarding employment of Section 3 workers prior to hiring.
9. Encourage local businesses to register on the HUD Business Registry and direct contractors to the HUD Section 3 Business Registry <https://www.hud.gov/section3businessregistry>
10. Leverage Lee County 's communication outlets (social media, website, etc.) to effectively communicate employment and contracting opportunities that arise.
11. Require contractors to submit a list of core employees (including administrative, clerical, planning and other positions pertinent to the construction trades) at the time of contract award.

Lee County will report Section 3 accomplishments in the Disaster Recovery Grant Reporting (DRGR) system.

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## 5. 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. Whenever possible, Lee County will leverage CDBG-DR funds with other federal and state sources to reduce long-term vulnerabilities through the mitigation projects and activities outlined within this plan. These mitigation projects and activities are designed to increase resilience to future disasters and will reduce or eliminate the long-term risk of loss of life, injury, damage to and loss of property, and suffering and hardship.”<sup>207</sup>

To develop these mitigation and resiliency projects and activities, Lee County focused on the following goals, as outlined in the [Local Mitigation Strategy](#):

- Preventative activities that focus on reducing the risk to people, property, and the environment from identified hazards.
- Property protection activities to reduce or avert property damage on a building-by-building or parcel basis.
- Natural resource protection activities to preserve or maintain natural areas.
- Emergency services measures or activities, taken during any disaster incident caused by a hazard, which reduces the hazard’s impact.
- Structural projects that minimize or wholly reduce a hazard’s impact.
- Public information activities that advise property owners, potential property owners, and visitors about hazards and ways to protect people and property.
- Pre- and post-disaster redevelopment and mitigation policies and procedures designed to reduce or avert potential for risks from future hazards.

### a) PROTECTING PEOPLE AND PROPERTY FROM HARM

At the operations level, tasks related to protecting people and property are coordinated by the Department of Public Safety’s Division of Emergency Management. Primary guidance documents and standard operating procedures include:

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<sup>207</sup> [https://www.hud.gov/sites/dfiles/CPD/documents/CDBG-DR\\_Mitigation\\_Set-Aside.pdf](https://www.hud.gov/sites/dfiles/CPD/documents/CDBG-DR_Mitigation_Set-Aside.pdf)

- [Comprehensive Emergency Management Plan](#)<sup>208</sup> (CEMP) – this is the operational guide in preparing for, responding to, and recovering from those natural and man-made hazards that require emergency actions by Lee County.
- [Hazard Identification and Risk Assessment](#)<sup>209</sup> (HIRA) – this document provides the foundation for prevention, preparedness, response, recovery, and mitigation activities.
- [Joint Local Mitigation Strategy](#)<sup>210</sup> (LMS) – this document includes maintenance and implementation of a Mitigation Action Plan and a Mitigation Project List. The LMS is the mechanism that the Disaster Advisory Council (DAC) utilizes to rank and recommend projects that use Hazard Mitigation Grant Program funds.
- Disaster Recovery Plan (DRP) – this document, when used in conjunction with the Joint Local Mitigation Strategy, addresses community vulnerabilities and resiliencies.
- Continuity of Operations Plans – these plans are created and maintained for County departments to ensure continued government services and response operations during times of significant disruption, such as the loss of government facilities or staff.

The County coordinates with community partners to maintain and improve the County's Community Rating System (CRS) score, which is part of the National Flood Insurance Program. As part of its NFIP membership, all local governments within Lee County approve a joint Multijurisdictional Program for Public Information (PPI) for annual outreach and marketing about flood risk and resiliency. Target audiences for this annual messaging are property owners and tenants in repetitive loss areas, permit applicants, the media, and the general public.

Independent of the PPI, Lee County collaborates with local news media, educational institutions, public service groups, and other agencies to deliver education and information programs describing the risks of natural and man-made hazards and actions necessary to mitigate potential damages from such hazards. The County manages several public warning notification and alert programs, including: LeeAlert, EAS, IPAWS and Wireless Emergency Alerts, [www.LeeEOC.com](http://www.LeeEOC.com), social media, and the LeePrepares App to distribute information and warnings related to disasters.

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<sup>208</sup> Lee County's Comprehensive Emergency Management Plan

[https://www.leegov.com/publicsafety/Documents/Emergency%20Management/LeeCountyAPPROVED\\_2019CEMPRedacted.pdf](https://www.leegov.com/publicsafety/Documents/Emergency%20Management/LeeCountyAPPROVED_2019CEMPRedacted.pdf)

<sup>209</sup> Lee County's Hazard Identification and Risk Assessment

<https://www.leegov.com/publicsafety/Documents/Emergency%20Management/2022%20Hazard%20Identification%20and%20Risk%20Assessment.pdf>

<sup>210</sup> Lee County's Local Mitigation Strategy

<https://www.leegov.com/publicsafety/Documents/Emergency%20Management/Joint%20Local%20Mitigation%20Strategy%20-%202022.03.pdf>

Lee County has a robust emergency transportation plan in coordination with Lee County's Transit Department, Lee Tran. This transportation plan creates bus routes that span the County and provide transportation for residents to public shelters in the event of an emergency. Residents may sign up ahead of time to access this program for direct pickup or may ride any of the buses for free to take them to a public shelter. Focus is placed on LMI and underserved communities to ensure they have the means of transportation to make it to a shelter.

To protect special needs and vulnerable populations, the County conducts regular reviews of Lee County healthcare facility emergency management plans and develops and maintains a Special Needs Registry in conjunction with the State of Florida Department of Health (FDOH). This registry is statutorily required and allows FDOH and Public Safety to assist individuals with special needs during an emergency.

During emergency events, the County coordinates and cooperates with the FDOH and the Lee County School District to plan for and operate one or more special needs shelters and multiple general population shelters, as needed. A citizen information hotline allows residents to dial 211 and speak to a representative that can provide critical and up-to-date information on an emergency and the response efforts undertaken.

The County also spearheads volunteer and donations programs that include coordination with nonprofit organizations and faith-based organizations.

Emergency Preparedness requires the cooperation of many different multijurisdictional agencies in preparation for and during an emergency. The Public Safety and Emergency Management teams provide regular outreach, training, and resources to the community to provide awareness to threats and resources for community preparedness. Examples include:

- Publication of the All-Hazards Guide, which provides resources and information on the hazards that face the community and how to prepare for and mitigate them. This Guide is available online and in print in English, Spanish, and Haitian Creole and for distribution during Hurricane Season utilizes a variety of media-based and private outreach programs.
- Family Emergency Plan – A plan that should be implemented by every household to prepare their family with the resources and information they need to prepare for a hurricane or other hazard.

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- Information on evacuation zones so that if an evacuation is called for a particular zone, the residents will know which zone they are and whether they have been called for evacuation.
- Hurricane Preparedness Videos – videos put together by the Emergency Management team to provide useful information for residents to prepare for and respond to a hurricane.

Lee County's Comprehensive Plan, the Lee Plan, establishes objectives and policies to help prevent and mitigate threats from natural disasters by reducing their potential impact on future development and responding efficiently to disasters and hazards after the fact. This particularly includes Section 6: Conservation and Coastal Management, which complies with Florida statutory requirements (F.S. 163.3178) to avoid irreversible and irretrievable loss of coastal zone resources. See details in Section W: Land Use.

#### **b) MITIGATION CONSTRUCTION STANDARDS**

Lee County will support high quality, durable, energy efficient, sustainable, and mold resistant construction through the design of standard bid specifications for housing projects. For both housing and infrastructure projects, each bid specification will incorporate best practices for ensuring sustainability. See Section III.E.3. Construction Standards for additional information regarding the Florida Building Code and Lee County's Land Development Code.

Regarding resiliency, climate-related risks including sea level rise, high winds, storm surge, and flooding, Lee County complies with Resilient Florida requirements as outlined in F.S. 380.093 and subsequent rulemaking of the Florida Department of Environmental Protection. Lee County is conducting the state-recommended countywide assessment of risk to critical assets from flooding that results from increases in frequency and duration of rainfall events, storm surge from more frequent and severe weather systems, and sea level rise. Transportation assets, potable water and wastewater systems, debris management systems, electricity production and supply systems, communication facilities, and critical community services and emergency response facilities are among the critical assets being assessed.

Results of this assessment are expected in the summer of 2025 and with emerging rulemaking by DEP may influence construction standards for CDBG-DR projects.

#### **c) LAND USE**

Lee County and its political subdivisions make use of building codes and land use ordinances to incorporate mitigation into the built and natural environments. These entities also participate in local and regional planning and engineering projects to study natural phenomena (such as water flow) and its interaction with people, economics, and the built environment. Recommendations



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for additional or revised codes and ordinances come from these efforts, as do proposals and designs for mitigation projects.<sup>211</sup>

Lee County's Comprehensive Plan, the [Lee Plan](#), outlines the County's land-use decisions that focus on mitigation of future natural hazard risks, including climate-related risks, and removing people and property from harm's way; and increasing awareness of the hazards in their communities (including underserved communities) through outreach. Lee County's land development regulations aim to reduce the vulnerability of development from the threats of natural and manmade hazards. (Ord. No. [94-30](#), [00-22](#), [07-12](#), [16-07](#), [18-28](#)). Lee County requires additional setbacks in critical erosion areas, conservation and enhancement of dunes and vegetation, flood proofing of utilities, structural wind resistance, and floodplain management. (Ord. No. [18-28](#))<sup>212</sup>

Lee County's Emergency Management personnel participate in reviews of Community Development Orders in Lee County to ensure residential and healthcare development account for tropical cyclones and sheltering needs and considerations, which includes providing analyses of estimated storm surge in areas considered for development and reviewing emergency preparedness plans.

#### **d) RECOVERY PLANNING**

Lee County's Comprehensive Emergency Management Plan (CEMP) and Long-Term Recovery Plan outline how Lee County transitions from emergency response to short-term and long-term recovery planning. These documents consider sound, sustainable long-term recovery planning informed by a post-disaster, multijurisdictional evaluation of the hazard. Lee County's Division of Emergency Management coordinates the adaptable Local Mitigation Strategy approved by the Disaster Advisory Council (DAC). All local governments, tax-supported agencies, private utility services, and non-profit groups integral to emergency response and recovery are represented on the DAC. The Florida Department of Emergency Management (FDEM) oversees the DAC process for approving the LMS and its post-disaster project list, an important requirement for Lee County's receipt of FEMA Hazard Mitigation Grant funding.

All uses of CDBG-DR funds as envisioned in this Action Plan and implemented in its activities will comply with these local and state initiatives for recovery planning.

Specific to Hurricane Ian recovery, the County formed the Resilient Lee Long Term Recovery Task Force to engage municipalities, stakeholders, and residents to develop a long-term recovery and

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<sup>211</sup> Lee County's Joint Local Mitigation Strategy

<https://www.leegov.com/publicsafety/Documents/Emergency%20Management/Joint%20Local%20Mitigation%20Strategy%20-%202022.03.pdf>

<sup>212</sup> The Lee Plan <https://www.leegov.com/dcd/Documents/Planning/LeePlan/LeePlan.pdf>

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resiliency plan based on the FEMA National Disaster Recovery Framework. The Recovery Task Force (RTF) is composed of eight branches that bring together public, private, and non-profit sector subject matter experts. These branches will review research, data, and analysis from initial and ongoing community engagement and confirm findings. Branches will identify solutions and engage key partners who may have insight into how to address issues. The work of that Task Force is on-going and will address planning and capacity, economic recovery, education and workforce, health and social services, housing, infrastructure, national resources, and cultural resources. Task force input is part of the considerations for crafting this Action Plan and future activities.

Lee County's longstanding relationships with FEMA through the Florida Department of Emergency Management and with HUD through its Community Development Block Grant program administered by the Lee County Department of Human and Veteran Services will ensure that this CDBG-DR Action Plan and its future activities, like all future recovery efforts, continue local momentum toward feasible, cost-effective measures to ensure that Lee County is resilient against a future disaster.

e) **MITIGATION SPECIFIC ACTIVITIES**

HUD permits Lee County to fund eligible mitigation activities that respond to the mitigation needs assessment. Lee County will ensure that at least \$144,506,000 is allocated for activities that mitigate the fiscal and human costs of disaster and ensure improved resiliency to future hazards. Applications for proposed mitigation activities under the County's CDBG-DR program must state whether proposed projects respond directly to disaster related risks and impacts or projected hazard risks unrelated to Hurricane Ian.

In compliance with Section II.A.2 of the Federal Register Notice, Lee County will use CDBG-DR funds to support feasible, cost-effective measures that will make communities more resilient against a future disaster. Whenever possible, Lee County will leverage CDBG-DR funds with other federal and state sources to undertake mitigation activities.

This Action Plan accomplishes both objectives by proposing to use CDBG-DR as the required 25 percent local match for FEMA's Hurricane Mitigation Grant Program (HMGP) administered by the Florida Division of Emergency Management. As allowed in Section II C.3 of the Consolidated Notice, this plan allocates approximately \$113,331,195 in CDBG-DR funds to cover the expected need for a 25 percent local match based on the FEMA and FDEM conservative estimate of a more than \$330 million HMGP award to Lee County jurisdictions.

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Lee County will document that CDBG-DR funds have been used for the eligible, actual costs incurred and have been accurately accounted for in duplication of benefits calculations according to Section II.C.3 of the May 18, 2023, Notice. The matched HMGP projects must also meet a national objective or other applicable CDBG requirements. HMGP match projects may address an unmet recovery need or mitigation need identified in the mitigation needs assessment. Wherever possible, Lee County will encourage applicants to propose match projects that have a tie-back to Hurricane Ian. If no tieback exists, applications will be evaluated for funding through HUD's mitigation set-aside.

Section II.A.2.c of the Consolidated Notice requires grantees to establish resilience performance metrics for mitigation activities, particularly for construction, reconstruction, or rehabilitation of residential or non-residential structures. Lee County has also incorporated resilience and hazard mitigation performance metrics into all CDBG-DR funded projects wherever possible to increase resilience from future disasters. Specifically for mitigation projects, Lee County will:

1. Forecast the projected risk to the completed activity from natural hazards, including those hazards that are influenced by climate change.
2. Identify the mitigation measures that will address the projected risks, for example:
  - Housing: Residential elevations, replacements, and new construction will be completed to at least 2 feet above base flood elevation;
  - Housing: Structures acquired through voluntary buyouts in the Special Flood Hazard area will be demolished and the parcel may be used only for surface water management or open space with limited allowable uses, including passive recreation.
3. Assess the benefit of mitigation measures through verifiable data, for example:
  - Housing: Lee County will track the number of dwelling units removed or brought into compliance at least 2 feet above base flood elevations within the Special Flood Hazard Area and specifically within NFIP repetitive loss areas.
  - Housing: Lee County will track the number of new, flood-compliant dwelling units now available as a result of CDBG-DR investment with specific tracking of the number of units outside the Special Flood Hazard Area.
  - Infrastructure: Lee County will track the percentage of funds allocated to projects that increase the number of acres no longer vulnerable to flood events.
  - Infrastructure: Lee County will track the percentage of infrastructure funds expended on projects that improve resiliency of critical infrastructure systems (e.g. bridges,

tunnels, energy, drinking water, buildings necessary for disaster emergency response) and the percentage that specifically provide service to underserved communities, protected classes (in accordance with fair housing and civil rights laws), and vulnerable populations who have historically been marginalized and can be most adversely affected by disaster.

In all categories of metrics, Lee County will include the percentage of the project that specifically serves underserved communities, protected classes (in accordance with fair housing and civil rights laws), and vulnerable populations who have historically been marginalized and can be most adversely affected by the disaster.

## F. BROADBAND INFRASTRUCTURE IN HOUSING

As required by [Federal Register, 88 FR 32046, Thursday, May 18, 2023](#), Lee County will ensure that any substantial rehabilitation as defined by [24 CFR 5.100](#), reconstruction, or new construction of a building with more than four rental units includes installation of broadband infrastructure, except where the County documents that:

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

HUD defines broadband infrastructure as cables, fiber optics, wiring, or other permanent (integral to the structure) infrastructure including wireless infrastructure, that can provide access to internet connections in individual housing units.

The installed broadband infrastructure must be designed to reliably meet or exceed symmetrical 100 Mbps download and upload speeds. In cases where it is not practicable, because of the excessive cost of the project or geography or topography of the area to be served by the project, eligible projects may be designed to reliably meet or exceed 100 Mbps download speed and between at least 20 Mbps and 100 Mbps upload speed. This will provide a platform for individuals and families residing in such housing to participate in the digital economy and increase their access to economic opportunities.

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Lee County will require documentation of feasibility for implementing the required broadband infrastructure and will perform on-site inspections during construction and post construction to ensure compliance, where applicable.

Lee County will prioritize multifamily housing projects with five or more rental units that provide new or improved access to high-speed internet service. It is preferred that fixed wire broadband access be provided to each rental unit. An alternate solution is to deliver fixed wire broadband to the building and provide the required high-speed internet service to each rental unit by installing wireless access points (WAPs) throughout the building complex.

## **G. COST EFFECTIVENESS**

Lee County will establish policies and procedures to address the assessment of cost-effectiveness of each proposed project or activity to assist a household under any residential rehabilitation or reconstruction, or other activity funded with CDBG-DR funds. Policies and procedures will also be established to identify the criteria necessary for determining the cost of rehabilitation or reconstruction of a unit relative to other means of assisting a property owner. Contractors and project applicants will be required, as part of their application, to demonstrate cost-effectiveness and a strategy for cost control for their project. Awarded projects will be monitored for compliance related to their adopted cost controls.

### **1. DEMONSTRABLE HARDSHIP**

A demonstrable hardship may be claimed by a program applicant requesting assistance that exceeds program limitations. A demonstrable hardship is defined as experiencing conditions that significantly impact household stability and may include job loss, failure of a business, incarceration of an income providing household member, domestic violence, extraordinary legal expenses associated with insurance claims, divorce, severe medical illness, injury, death of a spouse or other contributing family/household member, unexpected and extraordinary medical bills, disability, substantial income reduction, unusual and excessive amount of debt due to a natural disaster, etc. None of the listed examples above, individually or taken together, automatically establish a demonstrable hardship, nor is the listing above exhaustive as there may be other factors relevant to demonstrate hardship in a particular case.

If an applicant believes they have experienced, or are experiencing, a demonstrable hardship that prevents them from complying with program policies, then evidence of the hardship can be presented to program staff for consideration of an exemption. All households must still meet eligibility requirements of the program and assistance is limited to funding availability and HUD

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guidelines.

## **2. NOT SUITABLE FOR REHABILITATION**

The County defines a housing unit that is not suitable for rehabilitation or elevation under one of the following categories:

- The amount needed to bring the unit to housing habitability standards will exceed the program cap.
- The amount needed to bring the unit to housing habitability standards is equal to or greater than 75 percent of the estimated cost of new construction of a comparable unit(s).
- The amount needed to bring the unit to housing habitability standards is greater than 100 percent of the structure's total assessed value.

## **3. EXCEPTIONS TO MAXIMUM AWARD AMOUNTS**

The limited instances of providing exceptions to maximum award amounts will be based on criteria specified in the program policy, such as, reasonable accommodation requests under Section 504 or measures to address program recognized environmental conditions, which can be addressed through construction measures necessary to mitigate the consequences of those conditions. The County will establish policies and procedures for applicants to apply for an exception. All exceptions to maximum award limitations are subject to grant fund availability.

## **H. DUPLICATION OF BENEFITS**

Section 312 of the Stafford Act, as amended, generally prohibits any person, business concern, jurisdiction, or other entity from receiving financial assistance with respect to any part of a loss resulting from a major disaster for which such person, business concern, jurisdiction, or other entity has received financial assistance under any other program or from insurance or any other source.

To comply with Section 312, Lee County will ensure that each activity provides assistance to a person or entity only to the extent that the person or entity has a disaster recovery need that has not been fully met.

CDBG-DR assistance is intended to supplement, not replace, other public, private, and nonprofit sector resources that have already been provided for the same need or loss. For example, if a family's damaged home costs \$250,000 to repair and the homeowner received insurance proceeds in that



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amount, the homeowner could not also receive federal disaster recovery funds to repair the home. To ensure that CDBG-DR funding is spent on eligible activities, the County is responsible for verifying that each project provides assistance to a person or entity only to the extent that the person or entity has a disaster recovery need that has not been fully met by funds that have already been, or will be, paid from another source.

A Duplication of Benefit occurs when:

- A beneficiary receives assistance; and
- The assistance is from multiple sources; and
- The assistance amount exceeds the need for a particular recovery purpose.

The Duplication of Benefit Policy, available on <https://www.leegov.com/recovery/cdbg-dr>, outlines the process by which the County will verify that all applications for assistance from the projects funded by the County (both housing and non-housing), as well as all projects implemented by contractors and subrecipients, will be reviewed for possible duplication of benefits. The procedures described in the policy are also applicable to all grantees and subrecipients and must be incorporated in the design and administration of projects undertaken by subrecipients.

Lee County is subject to the requirements in Federal Register notice(s) explaining the duplication of benefit requirement (84 FR 28836 and 84 FR 28848, published June 20, 2019, or other applicable notices).

## IV. GRANTEE PROPOSED USE OF FUNDS

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### A. OVERVIEW

Lee County's Office of Strategic Resources and Government Affairs is the lead and responsible entity for administering \$1,107,881,000 in CDBG-DR funds allocated for disaster recovery.

Based on the unmet needs assessment and input from impacted communities and stakeholders, Lee County has prioritized programs that will assist in meeting short- and long-term recovery needs and programs that will increase resiliency. Lee County's analysis indicates that the most severe recovery needs are housing and infrastructure. To address these needs, the County plans to use CDBG-DR funds to support the following programs:

- Housing
- Voluntary Residential Buyouts and Relocation Assistance
- Public Facilities and Infrastructure
- Public Services
- Planning
- Administration

Lee County has determined that the most impactful means by which to support overall economic recovery are included in housing and infrastructure programs. However, the County will continue to evaluate information related to the unmet needs of the business community and collaborate with municipal partners and other stakeholders to assess the feasibility of CDBG-DR programs to support economic revitalization. Consequently, an economic revitalization program could be incorporated into the Action Plan through a substantial amendment.

### 1. HOUSING

The largest portion of funding, \$660,000,000, has been allocated to address disaster impacts to affordable housing, as these were the largest needs identified in the unmet needs assessment. In the wake of the Covid-19 pandemic, national inflation for housing and essentials, and Hurricane Ian, there is a significant deficit in the availability of and access to affordable housing in Lee County. While the impacts of Hurricane Ian caused overwhelming damage to the already struggling affordable housing market, it also created an incredible opportunity to re-imagine how, where, and for whom housing development occurs. The vision outlined within this plan encapsulates this unique time and opportunity by emphasizing the County's intention to

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restructure the housing environment.

The development housing is intended to reflect the County's priority to create and re-create housing units that are safe and resilient to future disasters. Beyond hardened and elevated structures, safe housing is also intended to encompass design elements that contribute to the physical and mental well-being of the resident. This includes the following priorities for all new and redeveloped housing units:

- Integration of green and smart building innovations;
- Co-location with outdoor facilities, such as parks, sidewalks, bike paths, etc.;
- On-site supportive services, such as mental health support, case management, physical health clinics, and wellness services;
- Access to educational services, such as job training, after-school and summer programs, colleges, technical training, college readiness, GED programs, etc.; and
- Access to tools to expand economic mobility, such as job placement assistance, job fairs, banking programs, and investment assistance, etc.

Stable housing units are those where the residents intend to stay for long periods of time. Housing tenure is an important element in developing a sense of community. In communities with high rates of rental properties and high annual turnover of those units, residents do not often get the opportunity to engage with their neighbors and build the sense of community.

Stability in housing is not only beneficial for the community but also for residents. "Housing insecurity in all its forms can negatively affect human health. Whether it's difficulty paying rent, overcrowded living conditions, eviction, or homelessness, housing insecurity exposes individuals and families to increased stress and mental and physical health problems."<sup>213</sup> Stable housing environments create a solid foundation for residents to expand their economic mobility, create a sense of community, and a consistent tax base for the provision of essential public services.

Lee County understands that one housing type or location is not the solution for all households. For this reason, the projects identified within this plan are intended to provide a diverse array of housing opportunities including:

- Owner-Occupied Housing Rehabilitation, Reconstruction, and Elevation
- Rental Rehabilitation, Reconstruction, and Elevation
- New Construction, Acquisition, and/or Rehabilitation of Multi-Family Housing

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<sup>213</sup> <https://www.huduser.gov/portal/pdredge/pdr-edge-trending-053122.html>

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- New Construction, Acquisition, and/or Rehabilitation of Single-Family Housing
- Home Purchase Assistance

## 2. VOLUNTARY RESIDENTIAL BUYOUTS

Hurricane Ian destroyed more than 9,900 residential structures and left more than 13,000 with major damage. The unmet needs assessment indicates that many of the destroyed and significantly damaged homes were in special flood hazard areas, and some in repetitive loss areas. To increase resiliency and create opportunities for additional flood control, Lee County has allocated \$75,000,000 to allow for voluntary residential buyout programs.

The optimal outcome of the buyout program is to return the property to a natural or favorably engineered state that delivers community benefits including:

- Restoration of mangroves, dunes, and sea grass to enhance protections against coastal surge;
- Restoration of natural flow-ways or engineering of new flow-ways for improved surface water management during storm events;
- Enhancements to improve water quality, particularly in compliance with Florida Department of Environmental Protection requirements for Basin Management Action Plans (BMAPS) and recommended total maximum daily loads (TMDLs) for nutrients and other pollutants; and
- Creation of permanent open space, passive recreation, and beach access areas that allow NFIP Communities to claim Community Rating System points toward flood insurance discounts for NFIP policy holders.

Preferred buyout activities would also deliver the following outcomes:

- Aggregation of multiple, adjacent parcels to avoid disadvantages of acquiring isolated parcels that present long-term maintenance expense, insurance liability, and loss of ad valorem tax revenue for local governments;
- Acquisition of sites that are useful for planned surge protection, surface water management, and water quality initiatives; and
- Acquisition of sites that can be merged with existing federal, state, and non-profit preservation and passive recreation parks and other programs.

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Funds allocated for this project will be used to acquire repetitive loss properties. A repetitive loss property is defined as an NFIP-insured structure that has had at least 2 paid flood losses of more than \$1,000 each in any 10-year period since 1978. The sale of residential housing units to the County is completely voluntary and initiated by the property owner. Once a property has been acquired through a buyout, the land can only be used as open “green” space, recreational, or floodplain or wetland management with the goal of reducing risk of property damage from future hazards. Buyouts and safe housing incentives will be prioritized to include sites in a repetitive loss area.

### **3. CRITICAL INFRASTRUCTURE AND HMGP MATCH**

An infrastructure activity includes any activity or group of activities (including acquisition of site or other improvements), whether carried out on public or private land, that assist the development of the physical assets that are designed to provide or support services to the public.

The second largest portion of funding, \$352,486,950, has been allocated to address disaster impacts to infrastructure, as this was the second largest need identified in the unmet needs assessment.

As required by the applicable federal register notice (88 FR 32046), Lee County will use at least \$144,506,000 toward mitigation activities. It is estimated that Lee County will exceed this set-aside as, where possible, housing and infrastructure projects will be designed with resiliency in mind.

CDBG-DR funds will be used as match for HMGP. Lee County, local municipalities, and partners have submitted more than \$330 million in HMGP mitigation project requests through the Florida Division of Emergency Management. As allowed in Section II.C.3 of the Consolidated Notice, approximately \$113,331,195 in CDBG-DR funds is being allocated in this plan to be used as match for funded HMGP projects that do not have another source for the required 25 percent match. Some projects proposed for infrastructure and HMGP match are anticipated to have a direct tie-back to Hurricane Ian. The projects that do not are expected to meet the criteria of a Mitigation (MIT) project. Lee County will document the CDBG-DR funds used for actual costs incurred and for costs that are eligible, meet a national objective, or meet other applicable CDBG-DR requirements.

### **4. PUBLIC SERVICES**

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The funding allocated for public services, \$15,000,000, will be available to fund the provision of services for persons who are low- and moderate- income, as well as those who are generally presumed to be principally LMI. This presumption covers abused children, battered spouses, elderly persons, adults meeting the Census Bureau definition of severely disabled persons\*, homeless persons, illiterate adults, persons living with AIDS, and migrant farm workers, in accordance with §570.208(a)(2)(i)(A).

### Definition of Severely Disabled

Persons are considered severely disabled if they:

- Use a wheelchair or another special aid for 6 months or longer; are unable to perform one or more functional activities (seeing, hearing, having one's speech understood, lifting and carrying, walking up a flight of stairs, and walking);
- Need assistance with activities of daily living (getting around inside the home, getting in or out of bed or a chair, bathing, dressing, eating, and toileting) or instrumental activities or daily living (going outside the home, keeping track of money or bills, preparing meals, doing light housework, and using the telephone);
- Are prevented from working at a job or doing housework;
- Have a selected condition including autism, cerebral palsy, Alzheimer's disease, senility, dementia, or mental retardation; or
- Are under 65 years of age and are covered by Medicare or receive Supplemental Security Income (SSI).

[https://www.hud.gov/sites/documents/DOC\\_16472.PDF](https://www.hud.gov/sites/documents/DOC_16472.PDF)[https://www.hud.gov/sites/document/s/DOC\\_16472.PDF](https://www.hud.gov/sites/document/s/DOC_16472.PDF)[https://www.hud.gov/sites/documents/DOC\\_16472.PDF](https://www.hud.gov/sites/documents/DOC_16472.PDF)

\* Census Bureau definition of severely disabled persons checklist:

<https://www.census.gov/content/dam/Census/library/visualizations/2010/demo/figure-1.pdf>

To ensure the provision of services to address unmet needs because of Hurricane Ian, Lee County will be allocating \$5 million in public services to fund the Unmet Needs Long Term Recovery Group. The Lee County Unmet Needs Coordination Lead Organization, Catholic Charities, was selected as the lead agency via a competitive application process held in February 2023. Catholic Charities is responsible for the coordination and delivery of recovery services and case management that is provided through local relief funds, Volunteer Florida, FEMA, HUD, and other philanthropic sources. Approximately \$5 million in CDBG-DR funding will be provided to Catholic Charities through a subrecipient agreement. Funds will allow them to remain fully staffed to continue matching unmet needs with available resources.



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Consistent with the unmet needs assessments, Lee County is allocating \$10,000,000 for the provision of behavioral health services and the implementation of a coordinated system of care. Funds may be made available through a competitive application process after the associated planning effort has been completed. It is anticipated that the gaps and solutions identified in the behavioral health planning effort, described in this Action Plan, will provide the framework for future activities to be carried out during this project.

## 5. PLANNING

A total of \$25,000,000 is being allocated for planning activities; \$21,550,000 will be available via competitive application processes for units of local government to fund studies, analyses, and additional planning efforts that may result in the establishment of additional recovery and resiliency priorities and activities or support the design and implementation of the currently described CDBG-DR programs. The funding allocated across these activity line items will include reimbursement for otherwise allowable recovery costs incurred on or after the incident date of the covered disaster.

Approximately \$2,250,000 will be provided to support the efforts of the Long-Term Recovery Task Force, which has been working to develop a community-wide recovery plan. The Task Force is anticipated to develop a strategic plan which fulfills the following objectives:

- Survey the immediate, short-term, and long-term needs of Lee County.
- Identify and engage key partners to address the needs of the community.
- Develop viable, feasible, desirable, and actionable solutions to meet those needs.
- Maximize funding resources available and recommend policies necessary to implement those solutions.

Additionally, \$1 million will be administered by Lee County through a contracted vendor to develop a strategic plan for the implementation of improved behavioral health services and a coordinated system of care. It is anticipated that the gaps and solutions identified in the behavioral health planning effort will provide the framework for future activities to be carried out through the public services project, described herein.

The remaining \$200,000 has been allocated to support the development of the unmet needs assessment portion of this Action Plan.

## 6. ADMINISTRATION

Up to five percent of the overall grant, \$55,394,050, will be used for administration of the grant. Funding has been allocated to planning and administration to fund the necessary costs of planning for, setting up, and managing the CDBG-DR recovery programs including application intake, compliance monitoring, performance tracking, management of the Disaster Recovery Grant Reporting system, and quarterly reports, as well as general administration.

## B. PROGRAM BUDGET

Program Category	Project	Budget	% of Allocation	Maximum Award (per project)	National Objective	Estimated Outcome	
<b>Housing</b> (\$660,000,000 Total Allocation)	Affordable Multifamily Housing Development and Preservation	\$350,000,000	31.59%	\$20,000,000 (Max \$200,000 per unit subsidy)	Low/Mod Income Housing (LMH)	1,750	Households
	Affordable Single Family Housing Development	\$50,000,000	4.51%	\$5,000,000 (Max \$300,000 per unit subsidy)	Low/Mod Income Housing (LMH)	167	Households
	Individual Housing Rehabilitation, Reconstruction & Elevation – Owner-Occupied	\$145,000,000	13.09%	\$250,000 (Rehabilitation)	Low/Mod Income Housing (LMH) Urgent Need (URG)	365 (Approx 70% of Applications)	Households
				\$450,000 (Reconstruction & Elevation)		87 (Approx 30% of Applications)	Households
	Individual Housing Rehabilitation, Reconstruction & Elevation - Renter Occupied	\$30,000,000	2.71%	\$250,000 (Rehabilitation)	Low/Mod Income Housing (LMH) Urgent Need (URG)	76 (Approx 70% of Applications)	Households
				\$450,000 (Reconstruction & Elevation)		18 (Approx 30% of Applications)	Households
	Home Purchase Assistance	\$10,000,000	0.90%	\$75,000	Low/Mod Income Housing (LMH) Urgent Need (URG)	120	Households
	Voluntary Residential Buyout	\$75,000,000	6.77%	\$525,000	Low/Mod Income Housing (LMH) Urgent Need (URG)	129	Households
<b>Public Facilities &amp; Infrastructure</b> (\$352,486,950 Total Allocation)	HMGP Infrastructure Match	\$113,331,195	10.23%	\$25,000,000	Low/Mod Benefit Urgent Need (URG)	5,000	Households
	Critical Infrastructure	\$239,155,755	21.59%	\$50,000,000	Low/Mod Benefit Urgent Need (URG)		
<b>Public Services</b> (\$15,000,000 Total Allocation)	Unmet Needs Long Term Recovery Group	\$5,000,000	0.45%	\$5,000,000	Urgent Need (URG)	500	Individuals Annually
	Behavioral Health Services and System of Care Implementation	\$10,000,000	0.90%	\$5,000,000	Low/Mod Income Clientele (LMC)	1,000	Individuals
<b>Planning</b> (\$25,000,000 Total Allocation)	Recovery and Resiliency Planning	\$21,550,000	1.95%	\$3,000,000	Not Applicable		
	CDBG-DR Action Plan	\$200,000	0.02%	\$200,000	Not Applicable		
	Long Term Recovery Task Force	\$2,250,000	0.20%	\$2,250,000	Not Applicable		
	Behavioral Health System of Care Implementation Plan	\$1,000,000	0.09%	\$1,000,000	Not Applicable		
<b>Administration</b> (5% Cap \$55,394,050)	Lee County Program Administration Costs	\$55,394,050	5.00%	\$55,394,050	Not Applicable		
	<b>Total Allocation</b>	<b>\$1,107,881,000</b>	<b>100.00%</b>				

## C. CONNECTION TO UNMET NEEDS

As required by 88 FR 32046, Lee County will allocate at least 80 percent of the funds to address unmet needs for low- and moderate-income households within HUD-identified "most impacted and distressed" areas. The remaining 30 percent of the allocation may be used to address unmet needs as a result of Hurricane Ian (DR-4673-FL), which received a presidential major disaster declaration. To meet the overall benefit requirement, Lee County has established prioritization criteria for each program area. Through these criteria, the County will ensure that at least 70 percent of funds are expended for projects and activities that benefit low- or moderate-income households.

Lee County also completed a disaster impact and unmet needs assessment to identify the impacts, long-term needs, and priorities for more than \$1.1 billion of Community Development Block Grant-Disaster Recovery (CDBG-DR) funding allocated as a result of the 2022 Hurricane Ian event. That assessment identified more than \$8 billion in unmet needs among housing, infrastructure, and economic revitalization. More than 94 percent of the overall need is housing and infrastructure.

Housing was identified as the most significant need in the unmet needs assessment. The most impacted populations were owner-occupied (64.59 percent of total FEMA IA applicants) and single-family and duplex housing (66.26 percent of all units damaged). To address remaining unmet need for homeowners, Lee County will undertake housing rehabilitation, reconstruction, and elevation projects to assist owner- and renter-occupied households to repair and maintain their housing. For households that may be interested in relocating to a safer location within the County or who have lost their homes completely, the County will undertake home purchase assistance and voluntary residential buyout projects.

Prior to the storm, affordable housing stock in Lee County was limited. That challenge was further exacerbated by the widespread destruction of residential properties by Hurricane Ian. To address the remaining unmet need for additional affordable housing units, the County will undertake affordable housing development and preservation activities.

**The unmet needs analysis identified a total housing unmet recovery need of \$4,598,352,445.**

FEMA real property damage estimates indicate that there are approximately 18,473 (79.87 percent) owner-occupied units and 4,655 (20.13 percent) renter-occupied units that suffered major-high or severe damage. Insurance data indicates that there are an estimated 49.08 percent

of homeowners without insurance. By adding the number renter and owner-occupied units, then dividing by the percent estimated to be uninsured, the County estimates that approximately 11,351 households may need some assistance to fully recover from Hurricane Ian. The County further estimates, based on the overall LMI population, that 4,742 (41.78 percent) of these households may be income qualified for CDBG-DR programs.

Lee County will implement the following housing recovery projects to address the unmet housing need in Lee County:

- Affordable Multifamily Housing Development and Preservation
- Affordable Single Family Housing Development
- Individual Housing Rehabilitation, Reconstruction & Elevation – Owner and Renter Occupied
- Home Purchase Assistance  
(i.e., downpayment, closing cost, and mortgage buydown assistance)
- Voluntary Residential Buyout

The housing programs together will receive \$660,000,000 of the allocated CDBG-DR funds from HUD. This represents approximately 60 percent of the CDBG-DR unmet needs funds allocated to Lee County. Approximately 2,800 households will be provided assistance through the projects listed above.

For individual housing projects, households will be income qualified through one of the following methods:

- Annual income defined in 24 CFR 5.609;
- Annual income as reported on the Census long form for the most recent decennial census;  
or
- Adjusted gross income as defined by the Internal Revenue Service (IRS) Form 1040 series for individual Federal annual income tax reporting purposes.

Applicants with a total household income at or below 80 percent AMI will be prioritized for funding.

For new construction and preservation of rental housing programs, all activities are required to ensure that at least 51 percent of all housing units within the activity are leased to households

with a total income at or below 80 percent AMI. New single family housing construction activities will be leased or sold to households with a total income at or below 80 percent AMI.

The unmet needs assessment indicates that more than 37 percent of the unmet needs are infrastructure related. To address this need, the County will undertake HMGP match and critical infrastructure activities that will make necessary repairs to hurricane impacted roads, bridges, water, sewer, and other public facilities. Infrastructure improvements that mitigate the risk of future disasters will also be undertaken within the infrastructure projects.

**The unmet needs analysis identified a total infrastructure unmet recovery need of \$3,040,625,610.**

The infrastructure systems affected by Hurricane Ian's widespread damage included damage to energy systems, roadways, bridges, traffic controls, water and wastewater treatment systems, septic systems, cell towers, and voice and data services. Transportation was hazardous as water and debris, including many boats, blocked roads; there were downed trees and power lines, and traffic lights were out. Both the Sanibel Causeway (see [Figure 33](#)) and the Matlacha Pass Bridge were severely damaged during the storm; until repairs were made those barrier island areas were inaccessible by car.

Lee County will implement the following infrastructure recovery projects to address the unmet infrastructure need in Lee County:

- Hurricane Mitigation Grant Program (HMGP) Infrastructure Match Funding
- Critical Infrastructure

The infrastructure programs together will receive \$352,486,950 of the allocated CDBG-DR funds from HUD. This represents approximately 32 percent of the CDBG-DR unmet needs funds allocated to Lee County. Mitigation funds are included in Lee County's total infrastructure budget and will be used to make improvements to infrastructure that was not impacted by Hurricane Ian.

Infrastructure service areas will be defined during the application process. Projects will be prioritized for funding if the defined service area contains 51 percent or more households who have a household income that does not exceed 80 percent AMI.

**The unmet needs analysis identified a total economic unmet recovery need of \$440,320,907.**



Lee County has determined that the most impactful means by which to support overall economic recovery are included in housing and infrastructure programs. However, the County will continue to evaluate information related to the unmet needs of the business community and collaborate with municipal partners and other stakeholders to assess the feasibility of CDBG-DR programs to support economic revitalization. Consequently, an economic revitalization program could be incorporated into the Action Plan through a substantial amendment.

## **D. LEVERAGING FUNDS**

Lee County, its municipalities, and other government and non-profit agencies will leverage multiple sources of federal, state, and private funding to complement the CDBG-DR allocation for Hurricane Ian recovery.

This Action Plan specifically proposes using CDBG-DR funding as the local match for Lee County's direct allocation of \$330 million from FEMA through the Stafford Act Section 404 – Hazard Mitigation Grant Program.

Lee County has experience and capacity to both find new, and manage existing, sources of funding to avoid primary reliance on HUD CDBG-DR funding. Sources include:

FEMA – Assistance under the Stafford Act allocations for individuals is approximately \$800 million. Assistance is also available under both Section 406 – Public Assistance for infrastructure and general mitigation, and Section 404 – Hazard Mitigation Grant Program. In addition, Lee County is prepared to explore funding options through the Building Resilient Infrastructure and Communities (BRIC) program.

National Flood Insurance Program – Policy holders have claims options for both flood damages and for Increased Cost of Compliance up to \$250,000 per residential and \$500,000 per commercial structure.

Small Business Administration (SBA) – Loans have been made for \$800 million for homes repairs, \$183 million for business repairs, and \$15 million for economic injury loans.

Housing and Urban Development (HUD) – Lee County and its municipalities continue to optimize regular and disaster funding for housing-related assistance for homeowners, renters, and the homeless.

Federal Highway Administration (FHWA) – Significant assistance to repair transportation

infrastructure, particularly for bridges and highways servicing barrier islands and along evacuation routes has been made available to Lee County.

Federal Transit Administration – LeeTran, Lee County’s public transit program, has applied for an \$8.4 million award under the FY2023 Emergency Relief Grant.

American Rescue Plan Act – Lee County has budgeted more than \$64 million of its direct allocation for emergency response and resiliency efforts including expansion of the Lee County Emergency Operations Center and replacement of the Big Carlos Pass bridge on a critical evacuation route.

State of Florida Legislative Appropriations – Lee County received more than \$70 million in direct appropriations for Hurricane Ian recovery projects. The County has additional options for requesting funding for competitive statewide emergency grant programs of \$700 million.

Florida Division of Emergency Management (FDEM) – Lee County will continue to manage approximately \$20 million in existing grants funded from both federal and state sources and seek additional assistance as it becomes available.

Florida Department of Environmental Protection – Lee County will optimize opportunities under the State’s Resilient Florida and Wastewater Grant programs for resiliency and mitigation efforts.

Florida Department of Economic Opportunity – Lee County will continue to manage approximately \$20 million in existing grants funded from both federal and state sources.

State Housing Initiative Program – Lee County has \$10 million available in the estimated FY 23/24 allocation and 22/23 Ian recovery efforts already encumbered.

Lee County Housing Authority and the Housing Authority of the City of Fort Myers, other non-profit organizations, and housing developers, working in partnership with other housing programs including the Lee County Homeless Continuum of Care, these groups are leveraging state, federal and private funding to provide housing and services. Funding sources may include SAIL, SHIP, Low Income Housing Tax Credits, HOME, CDBG Entitlement, and other funding sources.

## E. PROGRAM PARTNERS

Lee County may engage program partners through formal agreements such as subrecipient agreements and interagency agreements. Lee County will select program partners through competitive application processes that ensure that potential subrecipients and other partners have the capacity and expertise required to administer the proposed project or activity. Lee County will provide technical assistance and training to partners on program requirements, applicable federal cross-cutting requirements, and reporting and performance requirements.

At the time of the submission of this plan, Catholic Charities is the only identified program partner. Catholic Charities will be serving as Lee County's program partner as the lead agency for the Unmet Needs Long Term Recovery Group. Catholic Charities was selected as the lead agency via a competitive application process held in February 2023. Catholic Charities is responsible for the coordination and delivery of recovery services and case management that is provided through local relief funds, Volunteer Florida, FEMA, HUD, and other philanthropic sources. Approximately \$5 million in CDBG-DR will be provided to Catholic Charities through a subrecipient agreement. Funds will allow them to remain fully staffed to continue matching unmet needs with available resources.

Catholic Charities Diocese of Venice (CCDOV) is a recognized relief agency to provide services during a disaster. CCDOV is a member in good standing with the Florida Voluntary Organizations Active in Disasters (FLVOAD) and is part of the State of Florida's Emergency Support Function 15 (ESF 15). The agency has a history of responding to natural disasters over the last several years and to the Covid-19 pandemic. After Hurricane Irma, in 2017, CCDOV provided relief to thousands of Hurricane victims with direct assistance, home repairs, case management, and mental health services. The agency is a trusted provider for non-English-speaking, Hispanic residents, and those in the community who are unable to access FEMA assistance.

CCDOV has launched a robust effort to respond to the unmet needs of Hurricane Ian survivors. Immediately after Hurricane Ian landed in southwest Florida, CCDOV established 10 emergency centers throughout the region to distribute tarps, food, water, and other supplies. CCDOV's logistics staff organized warehousing, transport, and delivery of supplies to the various CCDOV distribution sites. CCDOV quickly acquired, transported, and deployed emergency relief supplies due to established networks and staff experience. Some sites were assisted by National Guard efforts. In the first six weeks after Hurricane Ian made landfall, CCDOV assisted 112,546 people, distributed 127 semi-trucks worth of supplies, and mobilized 2,064 volunteers.

## F. DISTRIBUTION OF FUNDS

Lee County has developed this plan to ensure the equitable distribution of funds. The plan for distribution of funds targets assistance to residents in underserved communities, protected classes (in accordance with fair housing and civil rights laws), and vulnerable populations who have historically been marginalized and can be most adversely affected by disaster.

The programs outlined in Section I. Program Details will be implemented by Lee County unless otherwise noted in the program descriptions. It is anticipated that continued unmet needs, mitigation needs, and additional funding sources will emerge over time. Lee County may shift allocations and planned subrecipients to address those needs as they become evident. Those changes would be reflected in future Action Plan amendments. The programs, projects, and activities established in this Action Plan are subject to all HUD requirements and limited to funding availability.

The programs are based on the unmet needs assessment and input from impacted stakeholders and residents. The programs are prioritized to address short- and long-term unmet needs. As required by the federal register notice, all CDBG-DR funded activities address an impact of Hurricane Ian, unless specifically designated as a mitigation activity and part of the mitigation set-aside allocation. CDBG-DR regulations require that each activity:

- Be CDBG eligible (or receive a waiver);
- Meet a national objective as defined by 24 Code of Federal Regulations (CFR) 570.483; and
- Addresses a direct or indirect disaster impact in presidentially declared area. A disaster impact can be addressed through several eligible CDBG activities listed in Section 105(a) of the Housing and Community Development Act (HDCA) of 1974, as amended.

The recovery activities described herein will make use of the HUD national objectives under 24 CFR 570.483 which include benefitting low- and moderate-income persons, preventing or eliminating slums or blight, and meeting urgent needs.

As required by the Federal Register, Lee County will spend at least 70 percent of the overall grant on activities that will benefit persons who are low- and moderate- income. Because the whole of Lee County has been identified by HUD as a most impacted and distressed area (MID), 100 percent of CDBG-DR funds will be spent in the MID. Up to five percent of the overall grant will be used by Lee County to ensure the compliant and timely administration of CDBG-DR funds.

## **1. PRE-AGREEMENT COSTS**

Lee County has incurred and plans to incur additional pre-agreement costs and will seek reimbursement for these costs after the effective date of the grant agreement. Pre-agreement costs could include the costs for salaries, benefits, and direct operating expenses of Lee County's Strategic Resources and Government Affairs team and the vendors providing technical support for the planning of the CDBG-DR programs. Other pre-agreement costs, which Lee County will fund with this grant, could include activity delivery and project costs associated with eligible disaster recovery programs identified within this Action Plan.

Lee County may request reimbursement for certain eligible pre-award costs necessary for the efficient and timely implementation of its recovery programs. These costs may include environmental review, damage assessment, and other costs necessary for determining eligibility of housing related projects. Lee County will also work with non-governmental entities working to fund housing recovery through short term, private, and philanthropic loan funds intended to jump start critical housing recovery programs for at risk populations.

## G. PROGRAM INCOME

Lee County expects that certain CDBG-DR-funded projects will generate income. Any program income earned as a result of CDBG-DR-funded projects will be subject to the rules outlined in Federal Register Notice FR 6393-N-01. In the May 18, 2023, Notice, HUD provides grantees the option of transferring program income to their annual CDBG entitlement grant (if applicable) or using it as CDBG-DR funds until grant closeout. The County will apply program income received from the CDBG-DR projects in accordance with the applicable Action Plan with the final determination of end use made by the County's Office of Strategic Resources and Government Affairs. To the maximum extent feasible, HUD requires that program income shall be used or distributed before additional withdrawals from the U.S. Treasury are made.

In accordance with 24 CFR 570.503, each written agreement between Lee County and its subrecipients will specify that the subrecipient will be required to report and remit to Lee County all program income as defined at 24 CFR 570.500. All program income generated by activities carried out with CDBG-DR funds will be remitted to Lee County from the subrecipient prior to contract close-out. Lee County will allocate and utilize the program income in compliance with the requirements set forth at 24 CFR 570.504, and the applicable federal register notice.

General policies and procedures defining and governing the use of program income can be found in Lee County's CDBG-DR Timely Expenditures Procedure. Each program will have specific policies and procedures detailing the collection, maintenance, and use of program income. Programs funded with CDBG-DR have been structured similarly to entitlement programs to allow for easy transition to long term monitoring and collection of program income after CDBG-DR closeout.

## H. RESALE AND RECAPTURE

Lee County has elected to use "Recapture" as the primary method of ensuring affordability for low-to-moderate income homeowners and renters. The County's CDBG-DR housing programs will use a soft second mortgage or restrictive covenant recorded in the official records of Lee County, Florida for this purpose. The affordability period and amortization (if any) will vary based on the program, and the timeframes summarized in *Table 75*.

A written agreement between Lee County and a subrecipient or homebuyer for projects funded with CDBG-DR will include the recapture provision that will be used to ensure continued affordability and will accurately reflect the recapture provisions, requirements that must be imposed on the housing, the sales price, or the basis upon which the sales price will be



determined, and the disposition of the sales proceeds. Written agreements with subrecipients will be executed when funds are initially committed to the project. A Restrictive Covenant will be executed and recorded in the official records of Lee County, Florida, at the time of acquisition.

For individual housing projects, written agreements with homebuyers and property owners will be executed before, or at the time of closing, for each activity. In addition, a mortgage and promissory note will be executed and recorded in the official records of Lee County, Florida before or at the time of closing.

Under recapture provisions, financial assistance must be repaid if direct subsidy is provided to the subrecipient, homebuyer, or property owner. Upon resale the seller may sell to any willing buyer at any price. Once the CDBG-DR funds are repaid to the County, the property is no longer subject to any CDBG-DR restrictions. Funds returned to Lee County under the recapture provision are considered program income must be used for CDBG-DR eligible activities, unless CDBG-DR program income has been transferred to the CDBG entitlement program, in which case the program income must be used for CDBG eligible activities.

*Table 75 – Program Affordability Period and Amortization*

<b>CDBG-DR Program</b>	<b>Affordability Period</b>	<b>Amortization</b>
Home Purchase Assistance	5 years	20% per year
Homeowner Rehabilitation, Reconstruction or Elevation	5 years	20% per year
Rental Rehabilitation (less than 5 units)	5 years	20% per year
Rental Rehabilitation (greater than 5 units)	20 years	None
New Housing Development (Includes acquisition/rehabilitation, new construction) (single family or multi-family)	20 years	None

## I. PROGRAM DETAILS

### 1. CRITICAL INFRASTRUCTURE

#### a) Program Description

The Critical Infrastructure program will provide CDBG-DR funds to eligible municipalities to carry out eligible improvements or repairs to publicly owned physical assets that are designed to provide or support services to the public. Examples of such assets include:

- Surface transportation, including roadways, bridges, railroads, and transit;
- Water resources projects;
- Energy production and generation, including from fossil, renewable, nuclear, and hydro sources;
- Electricity transmission;
- Broadband;
- Pipelines;
- Stormwater and sewer infrastructure; and
- Drinking water infrastructure.

#### b) Long-Term Resilience

All CDBG-DR funded infrastructure activities must be designed and constructed in a resilient manner to withstand extreme weather events and the impacts of climate change. Infrastructure projects undertaken through CDBG-DR will be focused on reducing the risks associated with high flood water and storm surge by including engineered or non-engineered solutions to retain, detain, divert, or convey excess water to lower the risk of flooding. Mitigation funds are included in Lee County's total infrastructure budget and will be used to support improvements to infrastructure that was not impacted by Hurricane Ian. Mitigation improvements will aim to create more resilient infrastructure systems and increase the municipality's ability to ensure continuous operation of indispensable services during a future hazard event.

#### c) Competition Overview

Critical Infrastructure grants will be awarded to eligible applicants for eligible activities based on a competitive application process to the extent that funds are available. Lee County will use Notice of Funding Availability (NOFA) packages to gather the information necessary to assess each project and potential subrecipient. Potentially eligible applicants will be notified through a direct mailing/emailing and by NOFAs posted on the County's CDBG-DR website.

Lee County staff will review each application to ensure the following threshold criteria are met. Applications must meet all criteria to be considered for scoring:

- Proposal is submitted by published deadline.
- Applicant is an eligible entity and has capacity to understand the proposed activity.
- Proposed activity is CDBG-DR eligible and meets a national objective.
- Proposed activity is feasible and complies with CDBG-DR construction and elevation standards.
- Proposed activity restores, repairs, or improves a community lifeline. \*
- Applicant has been in operation for a minimum of 12 months prior to application deadline.
- Applicants may not be presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in federal programs, as indicated by System for Award Management ([www.sam.gov](http://www.sam.gov)).
- Application is signed by an agency official designated to execute contracts.
- The applicant is a legally formed entity qualified to do business in the State of Florida.
- The applicant has provided evidence of ownership or other legal control providing for its use/development of the project site.

Applicants who do not meet one or more of the above threshold requirements will have a maximum of five business days to cure any deficiency. Any applications with noncured deficiencies will not be considered for scoring.

Lee County staff will then review all application packages, assign applications to the appropriate prioritization phase, and score each application.

Award Phases		Phase I	Phase II	Phase III
<b>Low Income Benefit**</b>	Yes	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
	No			<input checked="" type="checkbox"/>
<b>Hurricane Ian Tie-Back</b>	Yes	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
	No		<input checked="" type="checkbox"/>	
	No			

Staff will score projects based on technical evaluation criteria. When ranking infrastructure projects for CDBG-DR funding, it is important to consider various criteria to ensure fair and objective evaluation. The criteria below are subject to change and are not necessarily listed in

order of priority. Specific point values for each criterion will be defined during the NOFA process.

Technical Evaluation Criteria	Criteria Description
<b>Project Design/Approach</b>	The extent to which the proposed activity design/approach is reasonable, efficient, durable, and addresses an unmet need or mitigation need. The extent to which the proposed activity utilizes alternative materials and innovative design options.
<b>Sustainability and Resilience Measures</b>	The extent to which the proposed activity integrates the adaptable and reliable technologies to prevent premature obsolescence of infrastructure. The extent to which the proposed activity will integrate mitigation measures and strategies to reduce natural hazard risks, including climate related risks.
<b>Timeliness and Urgency</b>	The proposed activity will be completed within the grant performance period and indicates a reasonable timeline for completion and drawdown of funds. The proposed activity is urgent in nature, if not completed will result in new or more significant damages over the coming months/years.
<b>Alignment with Local Plans and Priorities</b>	The extent to which the proposed activity will achieve objectives outlined in regionally or locally established plans and policies that are designed to reduce future risk to the jurisdiction.
<b>Cost-Effectiveness and Controls</b>	The proposed activity is cost reasonable. The applicant has conducted a cost benefit analysis and comparison of proposed activity costs to current market rates. The activity budget includes cost-effective measures that will make communities more resilient against a future disaster.
<b>Leveraged Funds</b>	The proposed activity leverages other federal state and local funding sources and uses CDBG-DR funds as a funding of last resort.
<b>Public Input and Community Engagement</b>	The applicant has engaged the community and gathered public input regarding the proposed activity. The applicant considered public feedback when designing the activity.
<b>Proposal Presentation</b>	The proposal is complete, has required attachments, and provides a clear demonstration of organizational capacity, activity details, and budget requirements.

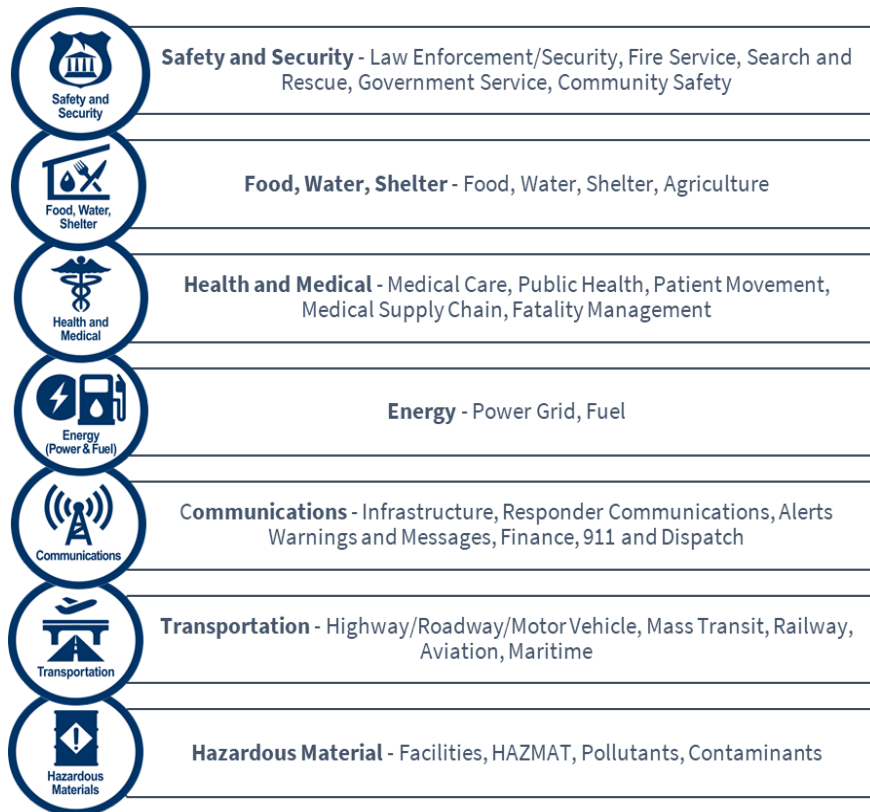
Application packets that include the results of staff reviews will be submitted to an Evaluation Committee, which will review and rank projects. Committee recommendations will be presented to the BoCC for final evaluation. The BoCC has final authority to award project funding. The entities/agencies awarded projects will become subrecipients under the Lee County CDBG-DR program.

#### **\*FEMA Community Lifelines**

“Efforts to protect lifelines, prevent and mitigate potential impacts to them, and building back stronger and smarter during recovery will drive overall resilience of the nation.

Community lifelines were tested and validated by federal, state, local, tribal and territorial partners in the aftermath of hurricanes Michael (Oct. 2018), Florence (Sept. 2018) and Dorian (Aug. 2019), Super Typhoon Yutu (Oct. 2018), the Alaska earthquake (Dec. 2018) and the coronavirus (COVID-19) pandemic (2020). They were formalized in the National Response Framework, 4th Edition.”

In Lee County, rebuilding and mitigating for future impacts to Community Lifelines may include a variety of infrastructure activities, including reducing the risks associated with high flood water and storm surge by including engineered or non-engineered solutions to retain, detain, divert, or convey excess water to lower the risk of flooding.



**\*\*Benefit to Low- to Moderate-Income Individuals:** The Evaluation Committee will assess the project's ability to benefit low- to moderate-income individuals and households. Consideration will be given to how the infrastructure project will restore infrastructure within historically underserved communities that lack adequate investments in housing, transportation, water, and wastewater infrastructure prior to the disaster and how the project will improve quality of life, accessibility to essential services, and housing opportunities. To meet these criteria, at least 51 percent of the service area of the proposed project will have an income of at or below 80 percent of the AMI.

**See HUD's Guidebook – Appendix D for determining service areas:**

<https://www.hudexchange.info/sites/onecpd/assets/File/CDBG-National-Objectives-Eligible-Activities-Appendices.pdf>

**d) Total Budget**

The estimated total budget for critical infrastructure projects is \$239,155,755.

**e) Eligible Entities/Applicants**

- City of Bonita Springs
- City of Cape Coral
- Village of Estero
- City of Fort Myers
- Town of Fort Myers Beach
- City of Sanibel
- Lee County

Eligible applicants should consider partnering with local utility providers, special taxing districts, etc., to submit applications that address critical infrastructure needs within each jurisdiction.

**f) Funding Award Guidelines**

Minimum Award: \$5,000,000

Maximum Award: \$50,000,000

Exceptions to minimum award guidelines may be considered on a case-by-case basis for high priority projects of critical public importance.

**g) Eligible and Ineligible Activities**

Eligible activities must be undertaken in Lee County, Florida.



An infrastructure activity includes any activity or group of activities (including acquisition of site or other improvements), whether carried out on public or private land, that assists the development of the physical assets that are designed to provide or support services to the public.

For purposes of this requirement, an activity that falls within this definition is an infrastructure activity regardless of whether it is carried out under sections 105(a)(2), 105(a)(14), or another section of the HCD Act, a waiver, or an alternative requirement established by HUD.

Infrastructure that is assisted by CDBG-DR must be designed and constructed in a resilient manner to withstand extreme weather events and the impacts of climate change. Proposed activities shall include sustainable planning, and design methods that promote adaptation and resilience, including the use of adaptable and reliable technologies to prevent premature obsolescence of infrastructure.

Typical infrastructure activities include the repair, replacement, relocation, or improvements to publicly owned facilities.

Ineligible activities are defined in 24 CFR 570.207, and include, but are not limited to, buildings or portions thereof used for conduct of government; general government expenses; political activities; purchase of equipment (except as provided for in 24 CFR 570.201(c)); operating and maintenance expenses; and income payments.

**h) Application period**

Lee County will establish an application timeframe for each project, and this timeframe shall be established within the NOFA. Applications will be accepted for at least 30 days.

**i) National Objectives**

All eligible activities will be required to meet a national objective in accordance with HUD guidelines in 24 CFR 570.208. Applications submitted for critical infrastructure funding must include a description of the nature of the activity, the specific area and populations served, and the intended national objective for the proposed activity.

Eligible national objectives must align with HUD guidelines based on the eligible activity type. A matrix detailing the national objective by activity type should be reviewed here: <https://files.hudexchange.info/resources/documents/Matrix-Code-National-Objective-Table.pdf>.

Urgent need may be used as an eligible national objective for critical infrastructure activities that

are of particularly critical nature to the recovery or resiliency of a community, but do not meet the criteria for other national objectives. Such activities must demonstrate urgency and impact on recovery.

**j) Citation for Eligibility**

Statutory Citations | Section 105(a)(2);

Regulatory Citations | 24 CFR 570.201(c); 24 CFR 570.207; 24 CFR 570.208

**k) Tieback**

Activities funded under this project may address an unmet recovery need or a mitigation need.

Disaster related tieback or mitigation need will be documented in each activity application.

## 2. HMGP INFRASTRUCTURE MATCH FUNDING

### a) Program Description

The HMGP Infrastructure match program will provide CDBG-DR funds to meet the local match requirement for CDBG-DR eligible, Tier 1 awarded Hurricane Mitigation Grant Program funds. Activities include mitigation projects that will result in protection of public or private property from natural hazards. Eligible activities include, but are not limited to, the following:

- Acquisition or relocation of hazard-prone structures;
- Retrofitting of existing buildings and facilities that will result in increased protection from hazards;
- Elevation of flood-prone structures;
- Infrastructure protection measures;
- Stormwater management improvements;
- Minor structure flood control;
- Flood diversion and storage; or
- Floodplain and stream restoration.

### b) Long-Term Resilience

All CDBG-DR funded infrastructure activities must be designed and constructed in a resilient manner to withstand extreme weather events and the impacts of climate change. Infrastructure projects undertaken through CDBG-DR will be focused on reducing the risks associated with high flood water and storm surge by including engineered or non-engineered solutions to retain, detain, divert, or convey excess water to lower the risk of flooding. Mitigation funds are included in Lee County's total infrastructure budget and will be used to support improvements to infrastructure that was not impacted by Hurricane Ian. Mitigation improvements will aim to create more resilient infrastructure systems and increase the municipality's ability to ensure continuous operation of indispensable services during a future hazard event.

### c) Competition Overview

Matching grants for CDBG-DR eligible, Tier 1, Hazard Mitigation Grant Program (HMGP) activities will be awarded CDBG-DR funds. A request for funding form will be made available to eligible applicants.

Matching grants for Tier 2, CDBG-DR eligible, HMGP activities may be requested through competitive application process for Critical Infrastructure activities, as detailed above.

Recommendations for funding will be presented to the BoCC for final evaluation. The BoCC has final authority to award project funding. The entities/agencies awarded projects will become subrecipients under the Lee County CDBG-DR program.

**d) Total Budget**

The estimated total budget for HMGP infrastructure match projects is \$113,331,195.

**e) Eligible Entities/Applicants**

All applicants must have written documentation supporting a Tier 1 award of HMGP funds through Florida Division of Emergency Management (FDEM) Notice of Funding Availability for DR-4673.

**f) Funding Award Guidelines**

Minimum Award: Minimum required 25 percent match for Tier 1 HMGP activity.

Maximum Award: \$25,000,000

**g) Eligible and Ineligible Activities**

As provided by the Housing and Community Development Act (HCDA), grant funds may be used to satisfy a match requirement, share, or contribution for any other federal program when used to carry out an eligible CDBG–DR activity. (87 FR 6364, p. 32064)

Eligible activities must be undertaken in Lee County, Florida. An infrastructure activity includes any activity or group of activities (including acquisition of site or other improvements), whether carried out on public or private land, that assist the development of the physical assets that are designed to provide or support services to the public.

For purposes of this requirement, an activity that falls within this definition is an infrastructure activity regardless of whether it is carried out under sections 105(a)(2), 105(a)(14), or another section of the HCD Act or a waiver or alternative requirement established by HUD.

Additionally, all newly constructed infrastructure that is assisted by a CDBG-DR funded infrastructure activity must be designed and constructed in a resilient manner to withstand extreme weather events and the impacts of climate change.

Ineligible activities are defined in 24 CFR 570.207, and include, but are not limited to, buildings or portions thereof used for conduct of government; general government expenses; political activities; purchase of equipment (except as provided for in 24 CFR 570.201(c)); operating and maintenance expenses; and income payments.

**h) Application Period**

Lee County will establish an application timeframe. Applications will be posted for at least 30 days.

**i) National Objectives**

All eligible activities will be required to meet a national objective in accordance with HUD guidelines in 24 CFR 570.208. Applications submitted for HMGP infrastructure funding must include a description of the nature of the activity, the specific area and populations served, and the intended national objective for the proposed activity.

Eligible national objectives must align with HUD guidelines based on the eligible activity type. A matrix detailing the national objective by activity type should be reviewed here: <https://files.hudexchange.info/resources/documents/Matrix-Code-National-Objective-Table.pdf>.

Urgent need may be used as an eligible national objective for critical infrastructure activities that are of particularly critical nature to the recovery or resiliency of a community, but do not meet the criteria for other national objectives. Such activities must demonstrate urgency and impact on recovery.

**j) Citation for eligibility**

Statutory Citations | Section 105(a)(2);

Regulatory Citations | 24 CFR 570.201(c); 24 CFR 570.207; 24 CFR 570.208

**k) Tieback**

Activities funded under this project may address an unmet recovery need or a mitigation need. Disaster related tieback or mitigation need will be documented in each activity application.

### **3. AFFORDABLE HOUSING DEVELOPMENT AND PRESERVATION**

#### **a) Program Description**

Funds allocated for this program will provide for the construction and preservation of quality, affordable multi-family housing units and the development of new, affordable single-family housing units. The rehabilitation of rental units under this program is limited to large scale rental properties (5 units or more).

#### **b) Long-Term Resilience**

All CDBG-DR funded housing development and preservation activities must, at a minimum, incorporate hazard mitigation measures and green building standards into design and construction. The use of alternative, more resilient construction materials and methods is also encouraged. These measures aim to reduce impacts of future disasters and increase long-term affordability of the housing units.

#### **c) Competition Overview**

Funding for affordable housing development and preservation will be awarded to eligible applicants for eligible activities based on a competitive selection process to the extent that funds are available. Lee County will establish deadlines for submitting applications and will notify all eligible applicants through a direct mailing/emailing and posting on the Lee County CDBG-DR website. Lee County will use a Notice of Funding Availability (NOFA) package to gather the information necessary to assess each project and potential subrecipient.

Lee County staff will review each application to ensure the following threshold criteria are met. Applications must meet all criteria to be considered for scoring:

- Proposal is submitted by published deadline.
- Applicant is an eligible entity and has capacity to undertake the proposed activity.
- Proposed activity is CDBG-DR eligible and meets a national objective.
- Proposed activity is feasible and complies with CDBG-DR construction and elevation standards.
- For multi-family housing units, at least 51 percent will be occupied by households with 80 percent AMI or less.
- For single-family housing units, 100 percent will be occupied by households with 80 percent AMI or less.
- Applicant has been in operation for a minimum of 12 months prior to application deadline.



- Applicants may not be presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in federal programs, as indicated by System for Award Management ([www.sam.gov](http://www.sam.gov)).
- Application is signed by the agency official designated to execute contracts.
- The applicant is a legally formed entity qualified to do business in the State of Florida.
- The applicant has provided evidence of ownership or other legal contract providing for its use/development of the project site.

Applicants who do not meet one or more of the above threshold requirements will have a maximum of five business days to cure any deficiency. Any applications with noncured deficiencies will not be considered for scoring.

Lee County staff will then review and score each application based on technical evaluation criteria. When ranking affordable housing development and preservation projects for CDBG-DR funding, it is important to consider various criteria to ensure fair and objective evaluation. The criteria below are subject to change and are not necessarily listed in order of priority. Specific point values for each criterion will be defined during the NOFA process.

Technical Evaluation Criteria	Criteria Description
<b>Project Design/Approach</b>	The extent to which the proposed activity design/approach is reasonable, efficient, and durable. The extent to which the proposed activity utilizes alternative materials and innovative design options, including designing with broadband in mind.
<b>Sustainability and Resilience Measures</b>	The extent to which the proposed activity integrates adaptable and reliable technologies to prevent displacement and protect tenants/owners, specifically for vulnerable populations. The extent to which the proposed activity will integrate mitigation measures and strategies to reduce natural hazard risks, including climate related risks.
<b>Timeliness and Urgency</b>	Number of months estimated to complete and lease/sell units.
<b>Cost-Effectiveness</b>	Overall cost per unit and cost to CDBG-DR per unit.
<b>Leveraged Funds</b>	Percent of leveraged funds allocated to the activity.
<b>Public Input and Community Engagement</b>	The applicant has engaged the community and gathered public input regarding the proposed activity. The applicant considered public feedback when designing the activity.
<b>Proposal Presentation</b>	The proposal is complete, has required attachments, and provides a clear demonstration of organizational capacity, activity details, and budget requirements.

Application packets that include the results of staff reviews will be submitted to an Evaluation Committee, which will review and rank projects. Committee recommendations will be presented to the BoCC for final evaluation. The BoCC has final authority to award project funding. The entities/agencies awarded projects will become subrecipients under the Lee County CDBG-DR program.

**d) Total Budget**

The estimated total budget for affordable housing development and preservation is \$400,000,000.

**e) Eligible Applicants**

All private non-profit or for-profit agencies that have developed housing through new construction or acquisition/rehabilitation within the last 36 months prior to the date of application are eligible to apply.

The applicant must be a legally formed entity (e.g., limited partnership, limited liability company, etc.) qualified to do business in the state of Florida as of the application deadline. *Evidence from the Florida Department of State, Division of Corporations that the applicant satisfies the foregoing requirements will be required as an application attachment.*

Applicant must also meet all the following requirements:

- Independent certified audited financial statement of the most recent or immediate prior fiscal year, including the management letter and written response (exceptions may be considered on an individual basis); or most recent single audit if the entity is a non-Federal entity that expends \$750,000 or more during the non-Federal entity's fiscal year in federal awards, in accordance with 24 CFR 200.501.
- Current CPA's Peer Review letter of Monthly Financial Statements (within last 60 days).
- Any applicant on the excluded parties list ([www.sam.gov](http://www.sam.gov)) will be considered ineligible for funding.
- Applicants should have previous experience administering projects of a similar size and scope and/or working with federal or state housing grant funds.

**f) Funding Award Guidelines**

Minimum Project Award: \$4,000,000

Maximum Project Award: \$20,000,000

Maximum per unit subsidy may not exceed \$200,000 for multi-family units.

Maximum per unit subsidy may not exceed \$300,000 for single-family units.

**g) Eligible and Ineligible Activities**

Eligible activities must be undertaken in Lee County, Florida.

Housing activities eligible within this project may include the following:

- Acquisition and/or Rehabilitation of Multi-Family Housing
- New Construction of Multi-Family Housing
- New Construction of Single-Family Housing (*applications must include the new construction of at least 10 new single family housing units*)

For the purposes of CDBG-DR funds, single family housing means four units or less per structure, and multifamily housing is five or more units per structure.

Ineligible activities are defined in 24 CFR 570.207, and include, but are not limited to, buildings or portions thereof used for conduct of government; general government expenses; political activities; purchase of equipment (except as provided for in 24 CFR 570.201(c)); operating and maintenance expenses; and income payments.

**h) Application Period**

Lee County will establish an application timeframe. Applications will be posted for at least 30 days.

**i) National Objectives**

Low- and Moderate-Income Housing (LMH)

**j) Citation for eligibility**

Statutory Citation: Section 105(a)

Regulatory Citation: 24 CFR 570.201, 24 CFR 570.202

Per Federal Register Notice 88 FR 32046, Section 105(a) and 24 CFR 570.207(b)(3) are waived to permit new housing construction.

**k) Tieback**

Provides affordable housing units which addresses the current lack of affordable rental units as a direct and indirect result of Hurricane Ian.

## 4. INDIVIDUAL HOUSING REHABILITATION, RECONSTRUCTION, AND ELEVATION

### a) Program Description

Funds allocated for this project will provide for the rehabilitation, reconstruction and/or elevation of single-family, owner-occupied housing and rental housing (less than 5 units) that was damaged by Hurricane Ian. All newly constructed or rehabilitated housing units must incorporate disaster resilience measures to provide better outcomes in a major storm. Activities funded under this program may include:

- Rehabilitating existing structures, including substantial rehabilitation to bring the property up to local codes and standards;
- Making energy efficiency improvements through insulation, new windows and doors, and other similar improvements;
- Installing handicapped accessibility aids, such as grab bars and ramps;
- Repairing or replacing hurricane damaged roofs, windows, water systems, septic tanks, air conditioning, wells, windows, electrical and plumbing systems;
- Demolishing and re-building a unit in substantially the same manner; or
- Elevating damaged homes in special flood hazard areas.

Due to the amount of time that has elapsed since Hurricane Ian, Lee County has recognized that homeowners are in varied stages of their rebuilding process and has designed a program that will assist eligible homeowners at different points in their recovery. Lee County will reimburse homeowners for eligible costs for the repair, replacement, or elevation of storm damaged homes subject to all eligibility criteria and availability of funds.

### b) Long-Term Resilience

All CDBG-DR funded housing rehabilitation, reconstruction, and elevation activities carried out by Lee County must incorporate hazard mitigation measures and green building standards into design and construction. The use of alternative, more resilient construction materials and methods is also encouraged. These measures aim to reduce impacts of future disasters and increase long-term affordability of the housing units.

### c) Competition Overview

Funding for individual housing rehabilitation, reconstruction, and elevations will be awarded to eligible applicants through a phased application process to the extent that funds are available. Lee County will establish deadlines for submitting applications and will notify the public through

a direct mailing/emailing and posting on the Lee County CDBG-DR website. Lee County will use a pre-application package to gather the information necessary to assess each activity, then request an intake application and supporting documentation after an initial eligibility review. To serve the most vulnerable populations in Lee County most effectively, individuals will be prioritized for assistance in alignment with federal guidance. Lee County, through specific targeted outreach events, will attempt to reach vulnerable populations with information and available resources regarding available assistance.

The prioritization of eligible applicants will be based on income, age, and whether any member of the household has a disability. Income level will affect the phase in which a homeowner is invited to complete the intake application. All activity funding will be awarded according to a phased priority system. The phases of awards are as follows:

Application Phases		Phase I	Phase II	Phase III	Phase IV	Phase V
<b>Household Income</b>	Less than 50% AMI	<input checked="" type="checkbox"/>				
	Between 50% and 80% AMI		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
	Between 80% and 120% AMI*				<input checked="" type="checkbox"/>	
	Between 120% and 140% AMI*					<input checked="" type="checkbox"/>
<b>Homeowner 62+ and/or Household Member with Disability</b>	Yes		<input checked="" type="checkbox"/>			
	No			<input checked="" type="checkbox"/>		

\* Funding awards to eligible applicants that have a household income greater than 80 percent of AMI will be made only after Lee County has allocated 70 percent of all CDBG-DR funds for projects benefiting low- and moderate-income households, or in the case of a HUD-approved waiver.

Lee County will establish deadlines for submitting applications and will notify the public when applications are made available through press release, email newsletters, social media, and posting on the Lee County CDBG-DR website. Lee County will use a pre-application and subsequent intake application process to gather the information necessary to assess income and property eligibility.

Lee County and its implementation vendors will manage and complete the construction process for the rehabilitation or reconstruction of damaged homes on behalf of homeowners. Lee County and its implementation vendors will procure contractors in accordance with the requirements of 2 CFR 200 on behalf of the property owner and ensure the contractors repair or reconstruct damaged properties in a resilient manner. Lee County and its implementation vendors will require contractors to provide property owners with a one-year warranty on construction.

**d) Total Budget**

The estimated total budget for housing projects is \$175,000,000.

**e) Eligible Applicants**

Owner-Occupied Housing

- Owned and occupied the damaged property at the time of disaster and still own the damaged home.
- Properties that served as second homes at the time of the disaster, or following the disaster, are not eligible for rehabilitation, reconstruction or elevation assistance.
- Must not have received or expect to receive insurance, FEMA, or other payments for housing repair or replacement that are collectively equal to or greater than \$250,000.
- Applicants living in a Special Flood Hazard Area (SFHA) who receive federal assistance under these programs must obtain and maintain flood insurance for rehabilitated, reconstructed, or elevated properties.

Renter-Occupied Housing (less than 5 units)

- Owned and had a lease with a renter residing in the damaged property at the time of disaster and still own the damaged property.
- Must not have received or expect to receive insurance, FEMA, or other payments for housing repair or replacement that are collectively equal to or greater than \$250,000.
- Applicants living in a Special Flood Hazard Area (SFHA) who receive federal assistance under these programs must obtain and maintain flood insurance for rehabilitated, reconstructed, or elevated properties.

**f) Funding Award Guidelines**

Minimum Award for an individual housing activity is: \$3,000.

As determined by the scope of work based on standard grade building materials as calculated by



the program using national building standard estimating software, less any duplication of benefits (e.g., NFIP, FEMA or SBA) the County has determined a maximum award for rehabilitation of an individual housing unit to be: \$250,000, excluding any project delivery costs.

As determined by the scope of work based on standard grade building materials as calculated by the program using national building standard estimating software, less any duplication of benefits (e.g., NFIP, FEMA or SBA) the County has determined a maximum award for reconstruction and/or elevation of an individual housing unit to be: \$450,000, excluding any project delivery costs.

Lee County may assist with interim housing, including, temporary assistance for rental housing or long-term hotel/efficiency stays during a period when a household is unable to reside in their home during rehabilitation, reconstruction, or elevation. The maximum amount of assistance will be identified in the County's Residential Anti-displacement and Relocation Assistance Plan (RARAP).

#### Owner-Occupied Housing

Homeowners must agree to occupy the property as their principal residence, maintain a homestead exemption, and maintain required insurance coverage during the 5-year mortgage term.

If the property is occupied as a primary homesteaded residence for the 5-year term, a satisfaction of mortgage will be given, and the mortgage will not have to be repaid. If, during the 5-year term, the property is sold, transferred, leased, or first mortgage is refinanced, or is not owner-occupied and homesteaded, then the prorated balance of the mortgage will be due and payable. Future requests for subordination will be considered on a case-by-case basis. Annual monitoring of properties will take place during the mortgage term including random site checks to ensure that properties are still owner-occupied.

#### Renter Occupied Housing (less than 5 units)

Property owner must agree to lease the property at an affordable rate to an income qualified (80 percent or below AMI) tenant and maintain required insurance coverage during the 5-year mortgage term.

If the property is occupied by an income qualified (80 percent or below AMI) tenant for the 5-year term, a satisfaction of mortgage will be given, and the mortgage will not have to be repaid. If, during the 5-year term, the property is sold, transferred, leased to a non-qualified tenant, or

first mortgage is refinanced, then the prorated balance of the mortgage will be due and payable. Future requests for subordination will be considered on a case-by-case basis. Annual monitoring of properties will take place during the mortgage term including random site checks.

**Exceptions to Maximum Award Amounts:** *The limited instances of providing exceptions to maximum award amounts will be based on criteria specified in the program policy, such as, reasonable accommodation requests under Section 504 or measures to address program recognized environmental conditions, which can be addressed through construction measures necessary to mitigate the consequences of those conditions. The County will establish policies and procedures for applicants to apply for an exception. All exceptions to maximum award limitations are subject to grant fund availability.*

**g) Eligible and Ineligible Activities**

Eligible activities must be undertaken in Lee County, Florida.

Housing activities eligible within this project may include the following:

- Rehabilitation of Single-Family Owner-Occupied Housing Units
- Reconstruction of Single-Family Owner-Occupied Housing Units
- Elevation of Single-Family Owner-Occupied Housing Units
- Rehabilitation of Rental Housing Units (less than 5 units)
- Reconstruction of Rental Housing Units (less than 5 units)
- Elevation of Rental Housing Units (less than 5 units)

Only properties damaged by Hurricane Ian are considered for eligibility.

Ineligible activities are defined in 24 CFR 570.207, and include, but are not limited to, buildings or portions thereof used for conduct of government; general government expenses; political activities; purchase of equipment (except as provided for in 24 CFR 570.201(c)); operating and maintenance expenses; and income payments. For this project, the following are also ineligible activities:

- Forced mortgage payoffs.
- Funding for owner-occupied second homes (other than buyout programs).
- Assistance for those who previously received federal flood disaster assistance and did not maintain flood insurance where required (other than buyout programs).
- Compensation payments.

**h) Application Period**

Applications will be accepted as soon as possible after grant agreement execution and will remain open until funds have been exhausted or the performance period ends, whichever comes first. Lee County will establish deadlines for submitting applications and will notify the public when applications are made available through press release, email newsletters, social media, and posting on the Lee County CDBG-DR website.

**i) National Objectives**

Low- or Moderate-Income Housing (LMH)

Urgent Need (URG): Hurricane Ian's impacts on housing were widespread, with significant residential damage in areas that typically have household incomes exceeding 80 percent of the AMI. To prevent displacement of persons and property, the urgent need national objective may be used to address the housing rehabilitation, reconstruction, and/or elevation needs for households that exceed 80 percent AMI. Funding awards to eligible applicants that have a household income greater than 80 percent of AMI will be made only after Lee County has allocated 70 percent of all CDBG-DR funds for projects benefiting low- and moderate-income households, or in the case of a HUD-approved waiver.

**j) Citation for eligibility**

Statutory Citations | Section 105(a);

Regulatory Citations | 24 CFR 570.202

**k) Tieback**

The program assists to rehabilitate, reconstruct, and/or elevate homes that were damaged or destroyed as a direct result of Hurricane Ian.

## 5. HOME PURCHASE ASSISTANCE

### a) Program Description

Funds allocated for this project will provide for the home purchase assistance for households up to 120 percent of AMI. The project provides homeownership assistance to low- and moderate-income homebuyers by providing soft second mortgages for closing costs and down payment assistance to acquire homes outside the Special Flood Hazard Area.

### b) Long-Term Resilience

CDBG-DR Home Purchase Assistance is designed to aid households seeking housing outside of the special flood hazard areas. Housing located outside of the hazard areas is more resilient to future disaster impacts.

### c) Competition Overview

Funding for home purchase assistance will be awarded to eligible applicants through a phased application process, and to the extent that the funds are available. Lee County will establish deadlines for submitting applications and will notify all eligible applicants through a direct mailing/emailing and posting on the Lee County CDBG-DR website. Additionally, Lee County, through specific targeted outreach events, will attempt to reach vulnerable populations with information and available resources regarding available assistance.

To serve the most vulnerable populations in Lee County most effectively, individuals will be prioritized for assistance, in alignment with federal guidance. The prioritization of eligible applicants will be based on household income, homeowner age, and whether any member of the household has a disability. Income level will affect the phase in which a homeowner is invited to complete the intake application. All activity funding will be awarded according to a phased priority system. The phases of awards are as follows:

Application Phases		Phase I	Phase II	Phase III	Phase IV	Phase V
Household Income*	Less than 50% AMI	<input checked="" type="checkbox"/>				
	Between 50% and 80% AMI		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
	Between 80% and 120% AMI				<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Application Phases	Phase I	Phase II	Phase III	Phase IV	Phase V
<b>Homeowner 62+ and/or Household Member with Disability</b>	Yes		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
	No		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>

\* Funding awards to eligible applicants that have a household income greater than 80 percent of AMI will be made only after Lee County has allocated 70 percent of all CDBG-DR funds for projects benefiting low- and moderate-income households, or in the case of a HUD-approved waiver.

**d) Total Budget**

The estimated total budget for home purchase assistance is \$10,000,000.

**e) Eligible Applicants**

- Homebuyer must be able to obtain a commitment for a new first mortgage (not an assumption) from a lending institution (30-year, fixed rate; no ARM or balloon mortgage and no prepayment penalties allowed). Property taxes and homeowner's insurance must be escrowed.
- Homebuyer must be purchasing a residential unit in Lee County, Florida.
- Homebuyer does not need to be a first-time homebuyer but cannot own any other homes at the time of application.
- Homebuyer must have a household income at or below 120 percent of the Area Median Income.

**f) Funding Award Guidelines**

**Minimum Award:** Lee County will determine the minimum amount of assistance based on applicant need. The intent of the Homeownership Assistance Program is to provide what is needed and not to provide a standard subsidy amount.

**Maximum Award:** Lee County will determine the amount of assistance based on applicant need and may provide up to 100 percent of the lender required minimum down payment plus reasonable closing costs. Additional subsidy may be given (if needed) to ensure the projected housing payment will be no more than 35 percent of the household's gross monthly income. In no case will the assistance given by Lee County's CDBG-DR Homeownership Assistance Program exceed \$75,000.

For the purpose of recapture, a 5-year second mortgage will be placed on the property being purchased. Zero percent interest and no monthly payments will be due. The second mortgage is self-amortizing and will reduce at a rate of 20 percent per year. Homebuyers must agree to occupy the property as their principal residence, maintain a homestead exemption, and maintain required insurance coverage during the 5-year second mortgage term.

If the property is occupied as a primary homesteaded residence for the 5-year term, a satisfaction of mortgage will be given, and the second mortgage will not have to be repaid. If, during the five-year term, the property is sold, transferred, leased, or first mortgage is refinanced, or is not owner-occupied and homesteaded, then the prorated balance of the second mortgage will be due and payable. Future requests for subordination will be considered on a case-by-case basis. Annual monitoring of properties will take place during the second mortgage term including random site checks to ensure that properties are still owner-occupied.

**g) Eligible and Ineligible Activities**

Eligible activities must be undertaken in Lee County, Florida.

Eligible costs for home purchase assistance may include the following:

- Up to 100 percent of any lender required down payment;
- Reasonable closing costs (normally associated with the purchase of a home);
- Subsidized interest rates and mortgage principal amounts.

Ineligible activities are defined in 24 CFR 570.207, and include, but are not limited to:

- Buildings or portions thereof used for conduct of government; general government expenses; political activities; purchase of equipment (except as provided for in 24 CFR 570.201(c)); operating and maintenance expenses; and income payments. For this project type the following area also ineligible:
- Non-occupying co-borrowers/co-signers are NOT allowed. Any borrower not on Lee County's mortgage and note cannot be on the deed; and
- The purchase of second homes.

**h) Application period**

Applications will be accepted as soon as possible after grant agreement execution and will remain open until funds have been exhausted or performance period ends, whichever comes first. Lee



County will establish deadlines for submitting applications and will notify the public when applications are made available through press release, email newsletters, social media, and posting on the Lee County CDBG-DR website.

**i) National Objectives**

Low- and Moderate-Income Housing (LMH)

Urgent Need (URG): Hurricane Ian's impacts on housing were widespread, with significant residential damage in areas that typically have household incomes exceeding 80 percent of the AMI. To prevent displacement of persons and property, the urgent need national objective may be used to assist households that exceed 80 percent AMI to purchase a home outside of the special flood hazard area in Lee County. Funding awards to eligible applicants that have a household income greater than 80 percent of AMI will be made only after Lee County has allocated 70 percent of all CDBG-DR funds for projects benefiting low- and moderate-income households, or in the case of a HUD-approved waiver.

**j) Citation for eligibility**

Statutory Citations | Section 105(a)

Regulatory Citations | 24 CFR 570.201(n)

**k) Tieback**

The program transitions LMI households from rental based housing to affordable home ownership, which is a component of addressing the impact of the disasters on availability of affordable rental housing.

## 6. VOLUNTARY RESIDENTIAL BUYOUTS

### a) Program Description

Funds allocated for this project will be used to acquire repetitive loss properties. A repetitive loss property is defined as an NFIP-insured structure that has had at least two paid flood losses of more than \$1,000 each in any 10-year period since 1978. The sale of residential housing units to the County is completely voluntary and initiated by the property owner. Once a property has been acquired through a buyout, the land can only be used as open “green” space, recreational, or floodplain or wetland management with the goal of reducing risk of property damage from future hazards. Buyouts and safe housing incentives will be prioritized to include sites that were damaged by Hurricane Ian and are repetitive loss properties.

### b) Long-Term Resilience

Buyout activities are acquisitions for the purpose of reducing risk of property damage from future hazards. Properties acquired through buyout will be maintained for use only as open “green” space, recreational, floodplain or wetland management, or other disaster-risk reduction practices.

### c) Competition Overview

Funding for Voluntary Residential Buyouts will be awarded to eligible applicants for eligible activities through an application process, based on the geographic prioritization outlined below, and to the extent that the funds are available. Lee County will establish deadlines for submitting applications and will notify potentially eligible applicants through mail, email, and posting on the Lee County CDBG-DR website. Lee County will use a pre-application package to gather the information necessary to assess each activity, then request an intake application and supporting documentation after an initial eligibility review.

To serve the most vulnerable populations in Lee County most effectively, individuals will be prioritized for assistance in alignment with federal guidance. Additionally, Lee County, through specific targeted outreach events, will attempt to reach vulnerable populations with information and available resources regarding available assistance.

The prioritization of eligible applicants will be based on household income and the location of the property being voluntarily sold to the county. Income level will affect the phase in which a homeowner is invited to complete the intake application. All activity funding will be awarded according to a phased priority system. The phases of awards are as follows:

Application Phases		Phase I	Phase II	Phase III
<b>Household Income*</b>	Less than 80% AMI	<input checked="" type="checkbox"/>		
	Between 80% and 120% AMI		<input checked="" type="checkbox"/>	
	Between 120% and 140% AMI			<input checked="" type="checkbox"/>
<b>Repetitive Flood Loss Property</b>	Yes	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

\* Funding awards to eligible applicants that have a household income greater than 80 percent of AMI will be made only after Lee County has allocated 70 percent of all CDBG-DR funds for projects benefiting low- and moderate-income households, or in the case of a HUD-approved waiver.

Lee County and their implementation vendors will manage and complete the acquisition, demolition, and transition of property to an acceptable risk-reducing use. Lee County and their implementation vendors will procure contractors in accordance with the requirements of 2 CFR 200 to transition the acquired property to an acceptable use. Lee County or the designated municipality will ensure the management of the property in accordance with land use restrictions in perpetuity. The County and its implementation vendors will provide relocation assistance for citizens in conjunction with the buyout as appropriate and in accordance with all applicable guidelines and this Action Plan.

**d) Total Budget**

The estimated total budget for voluntary residential buyouts is \$75,000,000.

**e) Eligible Applicants**

To be eligible for assistance under this program, an applicant must have owned a repetitive loss property at the time of disaster and still own the damaged home. *A repetitive loss property is defined as an NFIP-insured structure that has had at least 2 paid flood losses of more than \$1,000 each in any 10-year period since 1978. Owned property must have been damaged by Hurricane Ian.*

**f) Funding Award Guidelines**

The County has established a maximum award for the acquisition of a property as: \$450,000, excluding any program project delivery costs, including safe housing incentives, temporary relocation assistance, and the cost to transition the site to a use that is compatible with open space, recreational, floodplain and wetlands management practices, or other disaster-risk reduction practices.

Lee County will determine the amount of safe housing incentive provided to homeowners based on need. Safe housing incentives may be given (if needed) to ensure the projected housing payment at the homeowner's new residence will be no more than 35 percent of the household's gross monthly income. In no case will the safe housing incentive given for this purpose exceed \$75,000.

Lee County may assist with interim housing, including, temporary assistance for rental housing or long-term hotel/efficiency stays during a period when a household is unable to reside in their home. The maximum amount of assistance will be identified in the County's Residential Anti-displacement and Relocation Assistance Plan (RARAP).

**Exceptions to Maximum Award Amounts:** *The limited instances of providing exceptions to maximum award amounts will be based on criteria specified in the program policy, such as, reasonable accommodation requests under Section 504 or measures to address program recognized environmental conditions, which can be addressed through construction measures necessary to mitigate the consequences of those conditions. The County will establish policies and procedures for applicants to apply for an exception. All exceptions to maximum award limitations are subject to grant fund availability.*

**g) Eligible and Ineligible Activities**

Eligible activities must be undertaken at repetitive loss properties within Lee County, Florida.

Activities eligible within this project may include the following:

- Assistance paid to a homeowner as a housing incentive for the purpose of incentivizing the homeowner to sell the home to Lee County (e.g., in conjunction with a buyout).
- Interim housing (e.g., temporary assistance for rental housing during a period when a household is unable to reside in its home).
- Costs associated with the transition of an acquired property from a residence to a use that is compatible with open space, recreational, floodplain and wetlands management practices, or other disaster-risk reduction practices.
- Purchase of repetitive loss properties.

HUD is instituting an alternative requirement to the rehabilitation provisions at 42 U.S.C. 5305(a)(4) as follows: properties that served as second homes at the time of the disaster, or following the disaster, are not eligible for safe housing incentives. A second home is defined for purposes of the Consolidated Notice as a home that is not the primary residence of the owner, a

tenant, or any occupant at the time of the disaster or at the time of application for CDBG–DR assistance. Grantees can verify a primary residence using a variety of documentation including, but not limited to, voter registration cards, tax returns, homestead exemptions, driver's licenses, and rental agreements. Acquisition of second homes at post-disaster fair market value is not prohibited.

Ineligible activities are defined in 24 CFR 570.207, and include, but are not limited to, buildings or portions thereof used for conduct of government; general government expenses; political activities; purchase of equipment (except as provided for in 24 CFR 570.201(c)); operating and maintenance expenses; and income payments.

**h) Application period**

Applications will be accepted as soon as possible after grant agreement execution and will remain open until funds have been exhausted or performance period ends, whichever comes first. Lee County will establish deadlines for submitting applications and will notify the public when applications are made available through press release, email newsletters, social media, and posting on the Lee County CDBG-DR website.

**i) National Objectives**

Low- and Moderate-Income Housing (LMH)

Urgent Need (URG): Hurricane Ian's impacts on housing were widespread, with significant residential damage in areas that typically have household incomes exceeding 80 percent of the AMI. To improve community resiliency, the urgent need national objective may be used to facilitate the voluntary residential buyouts of properties owned by households with incomes that exceed 80 percent AMI. Funding awards to eligible applicants that have a household income greater than 80 percent of AMI will be made only after Lee County has allocated 70 percent of all CDBG-DR funds for projects benefiting low- and moderate-income households, or in the case of a HUD-approved waiver.

**j) Citation for eligibility**

Statutory Citations | Section 105(a)(1);

Regulatory Citations | 24 CFR 570.201(a), 24 CFR 570.208(a)(3)

**k) Tieback**

The program assists to relocate households who were impacted by Hurricane Ian to safer housing and reduces future hazard risk to residential properties designated as repetitive loss properties.

## 7. PLANNING

### a) Program Description

Funds allocated for this project will be provided to eligible applicants to carry out planning activities. Plans created through this program should focus on resilience and recovery whenever possible.

### b) Competition Overview

Funding for planning activities will be made available to eligible applicants within Lee County. Applicants will apply through a competitive process, and funds will be awarded based on the criteria below, to the extent that the funds are available. Lee County will establish deadlines for submitting applications and will notify potentially eligible applicants through email and posting on the Lee County CDBG-DR website. Lee County will use a Notice of Funding Availability (NOFA) package to gather the information necessary to assess each project and potential subrecipient.

Lee County staff will review each application to ensure the following threshold criteria are met. Applications must meet all criteria to be considered for scoring:

- Proposal is submitted by published deadline.
- Applicant is an eligible entity and has capacity to undertake the proposed activity.
- Proposed activity is CDBG-DR eligible.
- Proposed activity is feasible.
- Applicant has been in operation for a minimum of 12 months prior to application deadline.
- Applicants may not be presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in federal programs, as indicated by System for Award Management ([www.sam.gov](http://www.sam.gov)).
- Application is signed by the agency official designated to execute contracts.
- The applicant is a legally formed entity qualified to do business in the State of Florida.
- The applicant has provided evidence of ownership or other legal contract providing for its use/development of the project site.

Applicants who do not meet one or more of the above threshold requirements will have a maximum of five business days to cure any deficiency. Any applications with noncured deficiencies will not be considered for scoring.

Lee County staff will then review and score each application based on technical evaluation criteria. When ranking activities for CDBG-DR funding, it is important to consider various criteria to ensure fair and objective evaluation. The criteria below are subject to change and are not



necessarily listed in order of priority. Specific point values for each criterion will be defined during the NOFA process.

Technical Evaluation Criteria	Criteria Description
<b>Project Design/Approach</b>	The extent to which the proposed activity design/approach is reasonable, efficient, durable, and addresses an unmet need or mitigation need.
<b>Sustainability and Resilience Measures</b>	The extent to which the proposed activity integrates mitigation measures and strategies to reduce natural hazard risks, including climate-related risks.
<b>Timeliness and Urgency</b>	The proposed activity will be completed within the grant performance period and indicates a reasonable timeline for completion and drawdown of funds.
<b>Cost-Effectiveness and Controls</b>	The proposed activity is cost reasonable. The applicant has conducted a cost benefit analysis.
<b>Proposal Presentation</b>	The proposal is complete, has required attachments, and provides a clear demonstration of organizational capacity, activity details, and budget requirements.

Application packets that include the results of staff reviews will be submitted to an Evaluation Committee, which will review and rank projects. Committee recommendations will be presented to the BoCC for final evaluation. The BoCC has final authority to award project funding. The entities/agencies awarded projects will become subrecipients under the Lee County CDBG-DR program.

Lee County has also identified three planning efforts of community-wide benefit that are specifically included for funding in this Action Plan and are listed below:

- **Long-Term Recovery Task Force – Recovery and Resiliency Plan**
  - \$2,250,000 is being allocated for the work of the task force.
  - The Recovery Task Force is composed of eight branches that bring together public, private, and non-profit sector subject matter experts. These branches will review research, data, and analysis from initial and ongoing community engagement and confirm findings. Branches will identify solutions and engage key partners who may have insight into how to address issues. The work of the Task Force is ongoing but will result in a strategic plan to increase resiliency in the areas of planning and capacity, economic recovery, education and workforce, health and social services, housing, infrastructure, national resources, and cultural resources.
- **Behavioral Health System of Care Plan**
  - \$1,000,000 is being allocated for the development of a strategic plan for behavioral health services in Lee County.
  - The Behavioral Health System of Care Plan will provide the framework necessary to spearhead the development and implementation of a comprehensive system of care for behavioral health services in Lee County. This planning effort will result in a written strategic plan that is actionable to improve access to and availability of comprehensive and high-quality behavioral health services in Lee County.
- **Unmet Needs Assessment for Community Development Block Grant – Disaster Recovery Action Plan**
  - \$200,000 is being allocated for the development of the unmet needs assessment portion of the CDBG-DR Action Plan.
  - The costs associated with data gathering, analysis, and the development of the impact and unmet needs assessment, mitigation needs assessment, and fair housing assessment for the CDBG-DR Action Plan are eligible Planning costs in accordance with 24 CFR 570.205.

**c) Total Budget**

The estimated total budget for planning activities is \$25,000,000; \$21,550,000 will be made available to potential subrecipients through a competitive application process.

**d) Eligible Entities/Applicants**

Local municipalities, independent special districts, public utility providers, public housing authorities, and public school districts.

**e) Funding Award Guidelines**

Minimum Award: \$100,000 per activity

Maximum Award: \$3,000,000 per activity

**f) Eligible and Ineligible Activities**

Plans must benefit programs, services, or communities in Lee County, Florida. General planning to assist with recovery and resiliency, determine community needs, or comprehensive plans may be eligible. Planning activities which consist of all costs of data gathering, studies, analyses, and preparation of plans and the identification of actions that will implement such plans, including, but not limited to those listed in 24 CFR 570.205 may also be eligible.

Ineligible activities are defined in 24 CFR 570.207, and include, but are not limited to, buildings or portions thereof used for conduct of government; general government expenses; political activities; purchase of equipment (except as provided for in 24 CFR 570.201(c)); operating and maintenance expenses; and income payments.

**g) Application period**

Lee County will establish an application timeframe. Applications will be posted for at least 30 days.

**h) National Objectives**

None Required

**i) Citation for eligibility**

Statutory Citations | Section 105(a)(12), and 105(a)(15);

Regulatory Citations | 24 CFR 570.483(b)(5)

**j) Tieback**

CDBG-DR funds expended for eligible planning costs will consider recovery and resiliency, whenever possible.

## **8. PUBLIC SERVICES**

### **a) Program Description**

Funds allocated for this project will support the delivery of essential services to households impacted by Hurricane Ian. The services provided will include behavioral health services, case management, and resource navigation.

### **b) Long-Term Resilience**

CDBG-DR funded public service activities are designed to create more resiliency within individual households. The provision of case management through the Unmet Needs Long Term Recovery group will provide individuals with tools to make them more resilient and better prepared for future disasters. The design and implementation of a behavioral health system of care will ensure long-term resiliency in a critical service field by preventing future service interruptions like those experienced during Hurricane Ian. The implementation of the system will provide greater access to essential behavioral health systems, equipping residents with personal resiliency tools that will assist them to better prepare for and recover from future disasters.

### **c) Competition Overview**

Lee County has identified two public service efforts of community-wide benefit that are specifically identified below:

- **Unmet Needs Long Term Recovery Group**
  - \$5,000,000 is being allocated for the implementation of case management and resource navigation for persons who were impacted by Hurricane Ian.
  - The subrecipient for these funds will be Catholic Charities. This subrecipient was selected through a NOFA process in February 2023.
  - Catholic Charities is lead organization for Lee County's Unmet Needs Long Term Recovery Group. An Unmet Needs Long-term Recovery Group is made up of faith-based, nonprofit, community-based, private sector, and voluntary agencies, who have a shared goal to help affected families access resources for their recovery.
  - Catholic Charities is coordinating public information on housing recovery services, supporting service providers and case managers in assessing the needs of displaced persons and vulnerable populations, identifying available resources, analyzing and providing information to impacted households, identifying gaps in services, and advocating for timely resolutions to evolving issues for those with disaster-caused or disaster-aggravated housing needs.

- The Unmet Needs Long-Term Recovery Group provides services for vulnerable populations, including those who have extremely low income.
- **Behavioral Health Services and System of Care Implementation**
  - \$10,000,000 is being allocated for the implementation of services and a comprehensive system of care for behavioral health in Lee County.
  - Funds will be used to support the implementation of the framework developed in the Behavioral Health System of Care Plan and will result in improved access to and availability of comprehensive and high-quality behavioral health services in Lee County.
  - Subrecipient(s) for implementation of behavioral health services and the system of care will be selected via competitive application process, as detailed below.

Funding for the implementation of services and a comprehensive system for behavioral health care will be made available to providers through a competitive process. Funds will be awarded based on the criteria below, to the extent that the funds are available. Lee County will establish deadlines for submitting applications and will notify potentially eligible applicants through email and posting on the Lee County CDBG-DR website. Lee County will use a Notice of Funding Availability (NOFA) package to gather the information necessary to assess each project and potential subrecipient.

Lee County staff will review each application to ensure the following threshold criteria are met. Applications must meet all criteria to be considered for scoring:

- Proposal is submitted by published deadline.
- Applicant is an eligible entity and has capacity to understand the proposed activity.
- Proposed activity is CDBG-DR eligible and meets a national objective.
- Proposed activity is feasible.
- Applicant has been in operation for a minimum of 12 months prior to application deadline.
- Applicants may not be presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in federal programs, as indicated by System for Award Management ([www.sam.gov](http://www.sam.gov)).
- Application is signed by the agency official designated to execute contracts.
- The applicant is a legally formed entity qualified to do business in the State of Florida.
- The applicant has provided evidence of ownership or other legal contract providing for its use/development of the project site.

Applicants who do not meet one or more of the above threshold requirements will have a maximum of five business days to cure any deficiency. Any applications with noncured deficiencies will not be considered for scoring.

Lee County staff will then review and score each application based on technical evaluation criteria. When ranking activities for CDBG-DR funding, it is important to consider various criteria to ensure fair and objective evaluation. The scoring criteria below are subject to change and are not necessarily listed in order of priority. Specific point values for each criterion will be defined during the NOFA process.

Technical Evaluation Criteria	Criteria Description
<b>Project Design/Approach</b>	The extent to which the proposed activity design/approach is reasonable, efficient, durable, addresses an unmet need or mitigation need.
<b>Sustainability and Resilience Measures</b>	The extent to which the proposed activity integrates mitigation measures and strategies to reduce natural hazard risks, including climate related risks.
<b>Timeliness and Urgency</b>	The proposed activity will be completed within the grant performance period and indicates a reasonable timeline for completion and drawdown of funds.
<b>Alignment with Local Plans and Priorities</b>	The extent to which the proposed activity will create new, meaningful, actionable plans, and does not duplicate existing regionally or locally established plans and policies.
<b>Cost-Effectiveness and Controls</b>	The proposed activity is cost reasonable. The applicant has conducted a cost benefit analysis.
<b>Proposal Presentation</b>	The proposal is complete, has required attachments, and provides a clear demonstration of organizational capacity, activity details, and budget requirements.

Application packets that include the results of staff reviews will be submitted to an Evaluation Committee, which will review and rank projects. Committee recommendations will be presented to the BoCC for final evaluation. The BoCC has final authority to award project funding. The entities/agencies awarded projects will become subrecipients under the Lee County CDBG-DR program.

#### **d) Total Budget**

The estimated total budget for public service activities is \$15,000,000.



**e) Eligible Entities/Applicants**

Lee County will oversee the subrecipient agreements for the public services projects identified within this plan. Subrecipients that are not already identified will be non-profit agencies that have provided direct behavioral health services for a least 12 months prior to the date of application.

The applicant must be a legally formed non-profit entity qualified to do business in the state of Florida as of the Application deadline. *Evidence from the Florida Department of State, Division of Corporations that the Applicant satisfies the foregoing requirements will be required as an application attachment.*

Applicant must also meet all the following requirements:

- Independent certified audited financial statement of the most recent or immediate prior fiscal year, including the management letter and written response (exceptions may be considered on an individual basis) or most recent single audit, if the entity is a non-federal entity that expends \$750,000 or more during the non-Federal entity's fiscal year in federal awards, in accordance with 24 CFR 200.501.
- Current CPA's Peer Review letter of Monthly Financial Statements (within last 60 days).
- Any applicant on the excluded parties list ([www.sam.gov](http://www.sam.gov)) will be considered ineligible for funding.
- Applicants with previous experience administering projects of a similar size and scope and/or working with federal or state housing grant funds will be provided additional points in the scoring process.

**f) Funding Award Guidelines**

Minimum Award: \$1,000,000 per activity

Maximum Award: \$10,000,000 per activity

**g) Eligible and Ineligible Activities**

Eligible activities must be undertaken in Lee County, Florida.

The CDBG-DR regulations allow the use of grant funds for a wide range of public service activities, including, but not limited to:

- Employment services (e.g., job training);
- Crime prevention and public safety;
- Childcare;
- Health services;

- Substance abuse services (e.g., counseling and treatment);
- Fair housing counseling;
- Education programs;
- Energy conservation;
- Services for senior citizens;
- Services for homeless persons;
- Welfare services (excluding income payments);
- Down payment assistance (also refer to Chapter 4); and
- Recreational services.

CDBG-DR funds may be used to pay for labor, supplies, and material as well as to operate and/or maintain the portion of a facility in which the public service is located. This includes the lease of a facility, equipment, and other property needed for the public service.

To utilize CDBG-DR funds for a public service, the service must be either: a new service; or a quantifiable increase in the level of an existing service which has been provided by the local government funds in the 12 months preceding the submission of the Action Plan to HUD.

Ineligible activities are defined in 24 CFR 570.207, and include, but are not limited to, buildings or portions thereof used for conduct of government; general government expenses; political activities; purchase of equipment (except as provided for in 24 CFR 570.201(c)); operating and maintenance expenses; and income payments.

#### **h) Application period**

Lee County will establish an application timeframe. Applications will be posted for at least 30 days.

#### **i) National Objectives**

Low- and Moderate-Income Clientele – Behavioral Health Services

Urgent Need – Unmet Needs Long Term Recovery Group

#### **j) Citation for eligibility**

Statutory Citations | Section 105(a)(8)

Regulatory Citations | 24 CFR 570.201(e)

#### **k) Tieback**

The **Unmet Needs Long Term Recovery Group**, led by Catholic Charities, is coordinating public information on housing recovery services, supporting service providers and case managers to

assess the needs of displaced persons, identifying available resources, analyzing and providing information to impacted households, identifying gaps in services, and advocating for timely resolutions to evolving issues for those with disaster-caused or disaster-aggravated housing needs.

**Behavioral Health Services and System of Care Implementation,** Hurricane Ian brought significant loss of life and traumatic tales of survival, taking a significant mental toll on most Lee County residents, and creating an increased demand for behavioral health care. Physical damage was also considerable. The County's only Crisis Stabilization Unit suffered water intrusion and roof damage that rendered the facility non-operational until May 2023. A estimated 2,400 patients were forced to seek care elsewhere, stretching the local healthcare system beyond its capacity. Care paths available to patients after discharge remain scarce. Individuals who have just been stabilized following a mental health crisis like a suicide attempt, often return to their homes, or even the streets, while waiting for a follow up outpatient appointment. With so many homes damaged and lost as a result of Hurricane Ian, and increasing housing costs, many households are facing becoming unhoused for the first time in their lives.

## V. APPENDICES

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### A. FEMA PA PROJECT LIST

The attached list of FEMA Public Assistance projects was used to determine the unmet need for infrastructure within Lee County. This list does not reflect actual projects or activities that will be funded with CDBG-DR funds. Applications for CDBG-DR funded projects will be made available after approval of the initial Action Plan.

[https://www.leegov.com/recovery/Documents/Action\\_Plan\\_APPENDIX\\_A.pdf](https://www.leegov.com/recovery/Documents/Action_Plan_APPENDIX_A.pdf)

### B. 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.

**Authorized Responsible Entity's Signature:**

\_\_\_\_\_  
**Chair, Lee County Board of County Commissioners**

\_\_\_\_\_  
**Date**

## C. WAIVERS

Upon the initial submission of the CDBG-DR Action Plan, Lee County is not requesting any waivers outside of those waivers and flexibilities that are provided in the applicable federal register (88 FR 32046).

The Appropriations Act(s) authorizes the Secretary of HUD to waive or specify alternative requirements for any provision of any statute or regulation. For each waiver and alternative requirement, the Secretary of HUD has determined that good cause exists, and the waiver or alternative requirement is not inconsistent with the overall purpose of the HCD Act. The waivers and alternative requirement provide flexibility to support full and swift recovery. Waivers cannot conflict with cross-cutting requirements of:

- Equal Opportunity
- Fair Housing
- Environmental Review
- Davis Bacon Labor Standards

Should Lee County request and receive approval for waivers in the future, those will be listed in this section, including a description of the approved waiver, date and federal register notice the waiver was approved in, or if approved by letter, and the applicable Federal Register page citation.

## D. DATA SOURCES AND 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.

## 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

CPP: Citizen Participation Plan

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. SUMMARY AND RESPONSE OF PUBLIC COMMENTS

The following section provides a summary of public comments received for the Action Plan in response to Hurricane Ian during the public comment period of August 1, 2023, through August 31, 2023. Lee County catalogued and summarized all comments received in the submission of the Action Plan to HUD.

Comments were received via phone, mail, online form submissions, email, and during public hearings. Responses to public comment below are organized by comment subject.

### 1. General

#### a) Summary of Comments:

Written public comments were received in support of making a waiver request to HUD to reduce the total LMI benefit of CDBG-DR funds from 70% to 50%. Additional comments were received requesting that certain geographic areas receive direct allocation or prioritization for funding awards.

#### b) County Response:

The County has received clear direction from HUD that such a waiver request will not be considered until the County has made reasonable efforts to assist income qualified households. As explained by HUD's grant manager, Lee County's CDBG-DR allocation is primarily based on the identified unmet needs of the County's LMI population. The County will regularly evaluate program outcomes and consult with HUD personnel and CDBG-DR experts to determine when a LMI waiver may profitably be requested. The County fully intends to submit such a request after reasonable efforts have been made to meet the 70% low- and moderate-income threshold.

While specific geographies are not being prioritized because significant impacts were distributed throughout HUD's designated Most Impacted and Distressed Area, the Public Action Plan prioritizes projects that have a tie-back to the impacts of Hurricane Ian. Moreover, project urgency will be considered as part of the technical evaluation criteria. Applicants will be responsible for demonstrating the urgency and need for specific projects during the NOFA process.

### 2. Housing

#### a) Summary of Comments:

Forty-five written public comments received; housing was discussed during all public meetings. Many comments reflected a continued need for individual housing repairs, specifically for homeowners. Others demonstrated need for permanent housing solutions, specifically for those residing in temporary living situations since Hurricane Ian. Specific comments were received regarding creating affordable housing, repairing mobile homes, and preserving affordable housing for the elderly, persons with a disability, and the County's workforce. Input regarding

increasing the maximum purchase price for voluntary residential buyouts was also received.

**b) County Response:**

Lee County intends to support individual households to make necessary repairs, reconstruct, or elevate their homes, as outlined in the Action Plan. The County has developed priority phasing for individual housing assistance programs to ensure that those who are elderly, disabled, or have the lowest incomes will be prioritized for assistance. While specific solutions for mobile homeowners have not yet been identified, Lee County anticipates that individual housing programs will include provisions for the replacement and/or elevation of mobile home units. Lee County is also committed to the development of new affordable housing using CDBG-DR funds and has imposed a 20-year affordability period on any new or rehabilitated multi-family affordable units. After evaluation, Lee County has determined that increasing the maximum purchase price allowable under the voluntary residential buyout program is necessary to align with current market conditions.

### **3. Public Facilities and Infrastructure**

**a) Summary of Comments:**

Thirty-one written public comments were received regarding infrastructure. Public facilities and infrastructure were also discussed during many public meetings. Specific interest was expressed regarding the repair of roadways, park facilities, water systems, electrical infrastructure, and drainage systems that were damaged during Hurricane Ian. Additional comments were received regarding the need for sewer systems to replace septic tanks.

**b) County Response:**

Lee County intends to support the repair and improvement of infrastructure and public facilities throughout the County, as outlined in the Action Plan. Municipalities and the County are identified as eligible applicants for infrastructure and public facilities funding. These applicants may partner with utility providers, non-profits, or other community partners to submit applications, once available, for CDBG-DR funding. Funded projects may include the repair, replacement or improvement of roadways, utility systems, flood plain management, drainage, park facilities and other publicly owned infrastructure. Most projects funded with CDBG-DR funds must have a tie-back to Hurricane Ian. For this reason, the conversion of septic to sewer systems may not be eligible for CDBG-DR funds. The mitigation portion of CDBG-DR funds may be used to support projects that do not have a Hurricane Ian tie-back but improve the resiliency of the community. This portion of funds is anticipated to be used to support local match requirements for HMGP projects. The list of HMGP projects that may be supported is attached to the Action Plan. All HMGP match projects must meet CDBG-DR eligibility.

### **4. Economic Revitalization**

**a) Summary of Comments:**

Seven written public comments were received regarding economic revitalization. Comments



from the City of Fort Myers, Town of Fort Myers Beach and the City of Sanibel also expressed interest in the inclusion of economic revitalization programs within the Action Plan. Comments focused on providing assistance to businesses and the workforce and creating opportunities for diversification of the economy in Lee County.

**b) County Response:**

Lee County stated in the draft Action Plan that housing and infrastructure programs were anticipated to be the most impactful means by which to support businesses. Based on feedback from residents and officials Lee County will continue to evaluate information related to the unmet needs of the business community and collaborate with stakeholders to identify the most impactful programs to support economic revitalization. Consequently, an economic revitalization program may be incorporated into the Action Plan through a substantial amendment.

## **5. Planning**

**c) Summary of Comments:**

Fifteen written public comments were received regarding planning, in addition to a few comments received during public meetings. Comments included interest in planning for healthcare facilities, community areas, sheltering, and water quality. One comment was received regarding the inclusion of public housing authorities as an eligible applicant for planning funds.

**d) County Response:**

Lee County intends to support planning efforts, as outlined in the Action Plan. Municipalities, the County, special districts, and the school district were identified as eligible applicants for planning funds in the draft Action Plan. In response to public comment the County has also added public housing authorities as eligible applicants for planning funds. These applicants may partner with utility providers, non-profits, or other community partners to submit applications, once available, for CDBG-DR funding. Planning for resiliency and recovery will be prioritized for CDBG-DR funds.

## **6. Public Services**

**e) Summary of Comments:**

Seven written public comments were received regarding public services, in addition to a few comments received during public meetings. Comments included interest supporting the provision of behavioral health services and services for persons with disabilities. One comment requested an increase in the amount of public service funds allocated within the Action Plan.

**f) County Response:**

Lee County intends to support behavioral health services through both planning and public service allocations. The County will continue to evaluate public service needs that were exacerbated due to Hurricane Ian, and will make amendments to the Action Plan if additional need is identified.

## G. STANDARD FORM 424