



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
Oklahoma City Field Office, Region VI
Office of Community Planning and Development
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Phone (405) 609-8509 Fax (405) 609-8982

December 9, 2015

Stephen O. Eddy, City Manager
City of Moore
301 North Broadway
Moore, Oklahoma 73160

Subj: Request for determination of eligibility for use of CDBG-DR [B-13-MS-40-0001] Grant funds to design, acquire, and construct a Hazard Mitigation/ Resiliency Wall along I-35 for the City of Moore.

Dear Mr. Eddy:

The Department has reviewed the request for eligibility and use of CDBG-DR [B-13-MS-40-0001] Grant funds to design, acquire, and construct a Hazard Mitigation Wall (Wall) along Interstate 35. In review of the City of Moore's email request and Letter of Justification dated December 9, 2015, the request for eligibility is hereby **denied**.

The Department's denial is based upon Federal Register Notice 14335/Vol. 78, No. 43/Tuesday, March 5, 2013, which sets forth the following requirements:

(4) Preparedness and Mitigation. The Appropriations Act states that funds shall be used for recovering from a Presidentially-declared major disaster. As such, all activities must respond to the impacts of the declared disaster. HUD strongly encourages grantees to incorporate preparedness and mitigation measures into all rebuilding activities, which helps to ensure that communities recover to be safer, stronger, and more resilient. Incorporation of these measures also reduces costs in recovering from future disasters. Mitigation measures that are not incorporated into rebuilding activities must be a necessary expense related to disaster relief, long-term recovery, and restoration of infrastructure, housing, or economic revitalization. Furthermore, the costs associated with these measures may not prevent the grantee from meeting unmet needs.

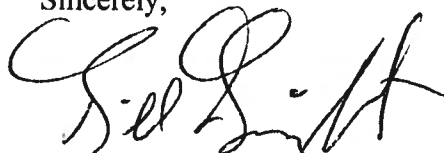
As required by the Notice the City of Moore does not meet the three established conditions required to be eligible for the use of the grant funds as discussed:

1. Mitigation measures must be a part of a rebuilding activity. The proposed Wall, though attached to a drainage project, is not a rebuilding activity which mitigates or makes the drainage more resilient.

2. Mitigation measures that are not incorporated into rebuilding activities must be a necessary expense related to disaster relief, long-term recovery, and restoration of infrastructure, housing, or economic revitalization. The proposed Wall does not meet the necessary expense requirement as the City has not shown the Wall to be a necessary restoration of infrastructure.
3. The costs associated with these measures may not prevent the grantee from meeting unmet needs. The City's IRIP indicates a large amount of unmet need, far in excess of the \$52 million in CDBG-DR allocated by HUD. The City's use of CDBG-DR funds to build the Wall as a freestanding project would mean the City could not meet other unmet needs.

The Department remains committed to assisting the recovery of the City of Moore from the impacts of the major disaster 2013. If you or any members of your staff have any questions, please contact Mr. Clark M. Williams, CDBG-Disaster Grant Specialist at: (405) 609-8455 direct, (202) 695-0432 mobile and/or email: clark.m.williams@hud.gov .

Sincerely,



Bill Bright, Director
Community Planning and Development

CC:

Todd Jenson
Jared Jakubowski