

Houston Arts Alliance  
5280 Caroline St., Ste. 100  
Houston, TX 77004

January 2, 2020

Commissioner George P. Bush  
Texas General Land Office  
Community Development and Revitalization  
P.O. Box 12873  
Austin, TX 78711-2873

Public Comment - Re: *State of Texas CDBG Mitigation (CDBG-MIT) Action Plan: Building Stronger for a Resilient Future*

Dear Commissioner Bush:

Thank you for the opportunity to comment on *State of Texas CDBG Mitigation (CDBG-MIT) Action Plan: Building Stronger for a Resilient Future*. We represent a coalition of community advocates and professionals who seek to protect the critical cultural, arts, and historic assets of our homes.

We would like to provide supporting evidence regarding the inclusion of culture, the arts, and history in the *State of Texas CDBG Mitigation (CDBG-MIT) Action Plan: Building Stronger for a Resilient Future*.

1. GLO should explicitly include language that ensures cultural and historic assets are included as part of infrastructure in the Action Plan to ensure these assets are not excluded by local officials. Without explicit inclusion, fund administrators can selectively exclude these assets.
2. GLO should include cultural districts as "Service Districts" so they are eligible to apply for the Hurricane Harvey State Mitigation Competition.

In summary, we ask that the *State of Texas CDBG Mitigation (CDBG-MIT) Action Plan: Building Stronger for a Resilient Future* acknowledge the value of Texas' culture, the arts, and historic assets in creating resilient communities and include language which ensures they are included in statewide planning. Please see below for additional details and pertinent literature.

Sincerely,

John Abodeely  
Chief Executive Officer; Houston Arts Alliance  
Former Acting Executive Director of the  
President's Committee on the Arts and the  
Humanities  
MBA; John Hopkins University  
[john@haatx.com](mailto:john@haatx.com)

Lauren Hainley  
Program Manager, Disaster Services; Houston  
Arts Alliance  
MA Arts Leadership; University of Houston  
[lauren@haatx.com](mailto:lauren@haatx.com)

## Comment 1:

GLO should explicitly include language that ensures cultural and historic assets are included as part of infrastructure in the Action Plan to ensure these assets are not excluded by local officials. Without explicit inclusion, fund administrators can selectively exclude these assets.

The *State of Texas CDBG-MIT Action Plan* structures its mitigation needs assessment around FEMA's Community Lifelines, but does not yet name "Historic/Cultural Resources," which appear in lifeline 1, Safety and Security. In November 2019, FEMA updated its Community Lifelines to include "Historic/Cultural Resources" as a part of government service, in lifeline 1 - Safety and Security. (United States Federal Emergency Management Agency, 2019). Expanding the GLO examples of infrastructure would fix the Action Plan's alignment with FEMA's Community Lifelines.

Further, the United States Department of Homeland Security Cybersecurity & Infrastructure Security Agency supports the inclusion of arts, cultural and historic assets as critical infrastructure. Cultural and Historical Assets appear twice in the agency's description of infrastructure. The Governmental Facilities Sector includes "The National Monuments and Icons Subsector (NMI)" which "encompasses a diverse array of assets located throughout the United States. Many NMI assets are listed in either the National Register of Historic Places or the List of National Historic Landmarks." (United States Department of Homeland Security & United States Government Services Agency, 2015) Additionally, the Commercial Facilities Sector is defined as "an extremely diverse range of sites and assets where large numbers of people congregate daily to conduct business, purchase retail products, and enjoy recreational events and accommodations....Assets can range from as small as a one-room museum to stadiums that can host events large." (United States Department of Homeland Security, 2015) It is clear that, to the United States government, infrastructure includes arts, cultural, and historic assets not currently named as examples within the State of Texas CDBG-MIT Action Plan.

While the State of Texas CDBG-MIT Action Plan does specify that funds can be used toward resilience solutions and infrastructure, it does not do enough to describe the types of infrastructure projects that are eligible for funding. Without clear and understandable inclusion as eligible by the General Land Office, those industries that improve the quality of life for citizens may be set aside by county and city grantees as ineligible. To avoid this grave loss, we ask the General Land Office to include civic infrastructure within the text of the plan to affirm its inclusion beyond any doubt. This critical clarification will ensure fund-seekers are not denied the opportunity to protect and prepare their communities through mitigation projects that repair buildings, shore up bayou beaches, and develop preservation plans.

Below you will find several examples of suggested language changes that will ensure the resilience of not just the cultural community but all Texans.

### Suggested Language Changes:

1. Pg. 23  
In the case of infrastructure resiliency solutions, improvements may include:
  - viii. Supporting local community efforts to (1) enhance building codes and land use plans, (2) participate in multi-jurisdiction hazard mitigation plans to qualify for HMGP funds, **(3) protect cultural and historic assets, and (4)** participation in the NFIP.
2. Pg. 38  
In southwest Texas alone there are over 130 individual towns or cities that make up the Gulf Coast region; each community has its own city hall, school system, police department, correctional facilities, **culture and history,** and other community services and infrastructure; these facilities each have the potential to sustain wind damage or flooding.
3. Pg. 38-39  
City halls, **and** emergency management centers, **and other cultural and historic facilities** were flooded throughout the impacted areas making response more challenging.
4. Pg. 57  
Under Impacts include:  
**Flooding along Buffalo Bayou, during Hurricane Harvey caused more than \$100 million in damage to cultural and historic facilities located in Houston's Theatre District.**
5. Pg. 160  
The Resiliency Plan calls for a balanced approach in managing coastal resources focused on community resiliency, ecological health, and economic growth by recommending projects ranging in type from nature-based (“green infrastructure”) to structural-based (“gray infrastructure”) **to culture-based (“civic infrastructure”) to** nonstructural-based projects, plans, policies, programs, and studies to employ a multiple lines of defense approach to coastal planning.

6. Pg. 190

The Texas Coastal Master Resiliency Plan calls for a balanced approach in managing coastal resources focused on community resiliency, ecological health, and economic growth by recommending projects ranging in type from nature-based (“green infrastructure”) to structural-based (“gray infrastructure”) to culture-based (“civic infrastructure”) to nonstructural-based projects, plans, policies, programs, and studies to employ a multiple lines of defense approach to coastal planning.

7. Pg. 203

4.4.1.5 *Eligible Activities: All activities allowed under CDBG-MIT; HCDA Section 105(a) (1-5), 105(a) (7-9), and 105(a)(11), including but not limited to:*

- ii. Infrastructure improvements (such as water and sewer facilities, streets, provision of generators, removal of debris, repair of cultural and historic facilities, bridges, etc.);
- v. Public Facilities (such as historic buildings, community centers, fire stations, libraries, parks, public art, schools, etc.)

8. Pg. 210

4.4.2.5 *Eligible Activities: All activities allowed under CDBG-MIT; HCDA Section 105(a) (1-5), 105(a) (7-9), and 105(a)(11), including but not limited to:*

- ii. Infrastructure improvements (such as water and sewer facilities, streets, provision of generators, removal of debris, repair of cultural and historic facilities, bridges, etc.);
- iv. Public Facilities (such as historic buildings, community centers, fire stations, libraries, parks, public art, schools, etc.)

9. Pg. 218

4.4.3.6 *Eligible Activities: All activities allowed under CDBG-MIT; HCDA Section 105(a) (1-5), 105(a) (7-9), and 105(a) (11), including but not limited to:*

- ii. Infrastructure improvements (such as water and sewer facilities, streets, provision of generators, removal of debris, repair of cultural and historic facilities, bridges, etc.);
- iv. Public Facilities (such as historic buildings, community centers, fire stations, libraries, parks, public art, schools, etc.)

10. Pg. 224

The GLO encourages the prioritization of regional investments with regional impacts in risk reduction for hurricanes, tropical storms and depressions, flooding, wind and other hazards to develop disaster-resistant infrastructure; upgrading of water, sewer, solid waste, communications, energy, transportation, health and medical, cultural and historic, and other public infrastructure to address specific, identified risks;

11. Pg. 226

4.4.4.6 *Eligible Activities: All activities allowed under CDBG-MIT; HCDA Section 105(a) (1-5), 105(a) (7-9), and 105(a)(11), including but not limited to:*

ii. Infrastructure improvements (such as water and sewer facilities, streets, provision of generators, removal of debris, repair of cultural and historic facilities, bridges, etc.);

v. Public Facilities (such as historic buildings, community centers, fire stations, libraries, parks, public art, schools, etc.)

12. Pg. 233

4.4.5.6 *Eligible Activities: All activities allowed under CDBG-MIT; HCDA Section 105(a) (1-5), 105(a) (7-9), and 105(a)(11), including but not limited to:*

vii. Infrastructure improvements (such as water and sewer facilities, streets, provision of generators, removal of debris, repair of cultural and historic facilities, bridges, etc.);

x. Public Facilities (such as historic buildings, community centers, fire stations, libraries, parks, public art, schools, etc.)

13. Pg. 239

4.4.5.6 *Eligible Activities: All activities allowed under CDBG-MIT; HCDA Section 105(a) (1-5), 105(a) (7-9), and 105(a)(11), including but not limited to:*

ii. Infrastructure improvements (such as water and sewer facilities, streets, shoreline armoring, repair of cultural and historic facilities, etc.);

14. Pg. 259

vi. Public Service activities:

a. Must be focused on education and outreach campaigns designed to alert communities and beneficiaries to opportunities to further mitigate identified risks through insurance, best practices, cultural resilience and other strategies; and

## Comment 2

GLO should include cultural districts as “Service Districts” so they are eligible to apply for the Hurricane Harvey State Mitigation Competition.

Community Development Block Grants are specifically created to “build stronger and more resilient communities through an ongoing process of identifying and addressing needs, assets, and priority investments” (United States Department of Housing and Urban Development, n.d.).

H.B. 2208 of the 79th Legislature of the State of Texas defines cultural districts and directs the Texas Commission on the Arts to develop designation criteria and processes. In order to be designated a cultural district by the Texas Commission on the Arts (TCA), applicants are required to “harness the power of cultural resources to stimulate economic development and community revitalization. These districts can become focal points for generating businesses, attracting tourists, stimulating cultural development and fostering civic pride.” (Texas Commission on the Arts, n.d.)

TCA cultural districts and CDBG funds share purpose and designation. In light of this, we are asking GLO to explicitly permit applications from TCA cultural districts throughout the state to the CDBG-MIT funds.

In addition to an overlap of purpose, there is a geographic overlap between regions eligible for CDBG-MIT and TCA cultural districts. Since 2005, TCA has awarded 43 cultural district designations in 37 cities across 32 counties. Further, 67% of all TCA designated cultural districts are within the counties named as eligible for funding within the State of Texas CDBG-MIT Action Plan. More specifically, 10 state designated cultural districts are named in the HUD Most Impacted and Distressed (MID) Counties as a result of Hurricane Harvey. Three additional cultural districts are included when eligibility is expanded to state-designated MID counties.

Due to clearly shared geography, as well as shared purpose, we ask the GLO to explicitly allow Cultural Districts, both together or individually, to directly apply for the Hurricane Harvey State Mitigation Competition. By naming cultural districts as eligible for direct application, GLO will 1. Reduce the burden on small businesses within cultural districts, 2. Allow direct access to funding for those who are vetted and endorsed by the state and state law, and 3. Ensure the purpose of CDBG-MIT funds is enacted fairly and efficiently throughout the state.

### Requested Language Change:

1. Pg. 217  
4.4.3.5 *Eligible Applicants*
  - v. Service districts including but not limited to:  
**f. cultural districts**

## References

- Americans for the Arts. (2018). *Americans Speak Out About the Arts in 2018*. Retrieved from Americans for the Arts:  
<https://www.americansforthearts.org/sites/default/files/Public%20Opinion%20National%202018%20Report.pdf>
- Blair, J., & Kopell, M. (2015). *21st Century Civic Infrastructure: Under Construction*. Retrieved from Aspen Community Solutions: <https://aspencommunitysolutions.org/wp-content/uploads/2013/06/21st-Century-Report-FINAL-NoBlanks.pdf>
- Oxford University Press. (2019). *Infrastructure*. Retrieved from Lexico.com:  
<https://www.lexico.com/definition/infrastructure>
- Texas Commission on the Arts. (n.d.). *Cultural Districts Program*. Retrieved from Texas Commission on the Arts: <https://www.arts.texas.gov/initiatives/cultural-districts/>
- Texas Legislature. (n.d.). Retrieved from  
<https://capitol.texas.gov/tlodocs/79R/billtext/pdf/HB02208F.pdf#navpanes=0>
- The Knight Foundation. (2010). *Soul of the Community Overall 2010 Findings*. Retrieved from The Knight Foundation: <https://knightfoundation.org/sotc/overall-findings/>
- The Texas General Land Office. (2019, November 21). CMR. GEORGE P. BUSH RELEASES PLAN FOR MORE THAN \$4 BILLION IN MITIGATION FUNDS FOR TEXAS. Austin, TX.
- United States Department of Homeland Security & United States Government Services Agency. (2015). *Government Facilities Sector-Specific Plan*. Retrieved from Critical Infrastructure Sectors: <https://www.cisa.gov/sites/default/files/publications/nipp-ssp-government-facilities-2015-508.pdf>
- United States Department of Homeland Security. (2015). *COMMERCIAL FACILITIES SECTOR-SPECIFIC PLAN*. Retrieved from Critical Infrastructure Sectors: <https://www.cisa.gov/sites/default/files/publications/nipp-ssp-commercial-facilities-2015-508.pdf>
- United States Department of Housing and Urban Development. (n.d.). *Community Development*. Retrieved from US Housing and Urban Development:  
[https://www.hud.gov/program\\_offices/comm\\_planning/communitydevelopment/](https://www.hud.gov/program_offices/comm_planning/communitydevelopment/)
- United States Federal Emergency Management Agency. (2019, November). *Community Lifelines Toolkit 2.0*. Retrieved from Community Lifelines Implementation Toolkit: <https://www.fema.gov/media-library-data/1576770152678-87196e4c3d091f0319da967cf47ffd9c/CommunityLifelinesToolkit2.0v2.pdf>