



CDBG-DR Action Plan



U.S. Department of Housing and Urban Development

Welcome and Speakers

- Welcome to HUD's webinar series on CDBG-DR basics
 - Webinars will focus on key rules and requirements for managing DR grants
 - Webinars will also share tips & lessons learned
- Speakers:
 - Jennifer Hylton, U.S. Department of Housing and Urban Development (HUD)
 - Sue Southon, ICF International

CDBG-DR Webinar Series

- This is the second in a series of webinars about CDBG-DR for CDBG-NDR grantees and CDBG-DR grantees
 - Specific guidance on NDR will not be covered in these webinars
- Upcoming webinar schedule:

Topic	Date
2016 CDBG-DR Program Planning, Administration and Activity Delivery	March 29, 2016 at TBD
2016 Disaster Recovery Grant Reporting System	March 31, 2016 at TBD
2016 Duplication of Benefits	April 7, 2016 at TBD
2016 Environmental Review	April 21, 2016 at TBD

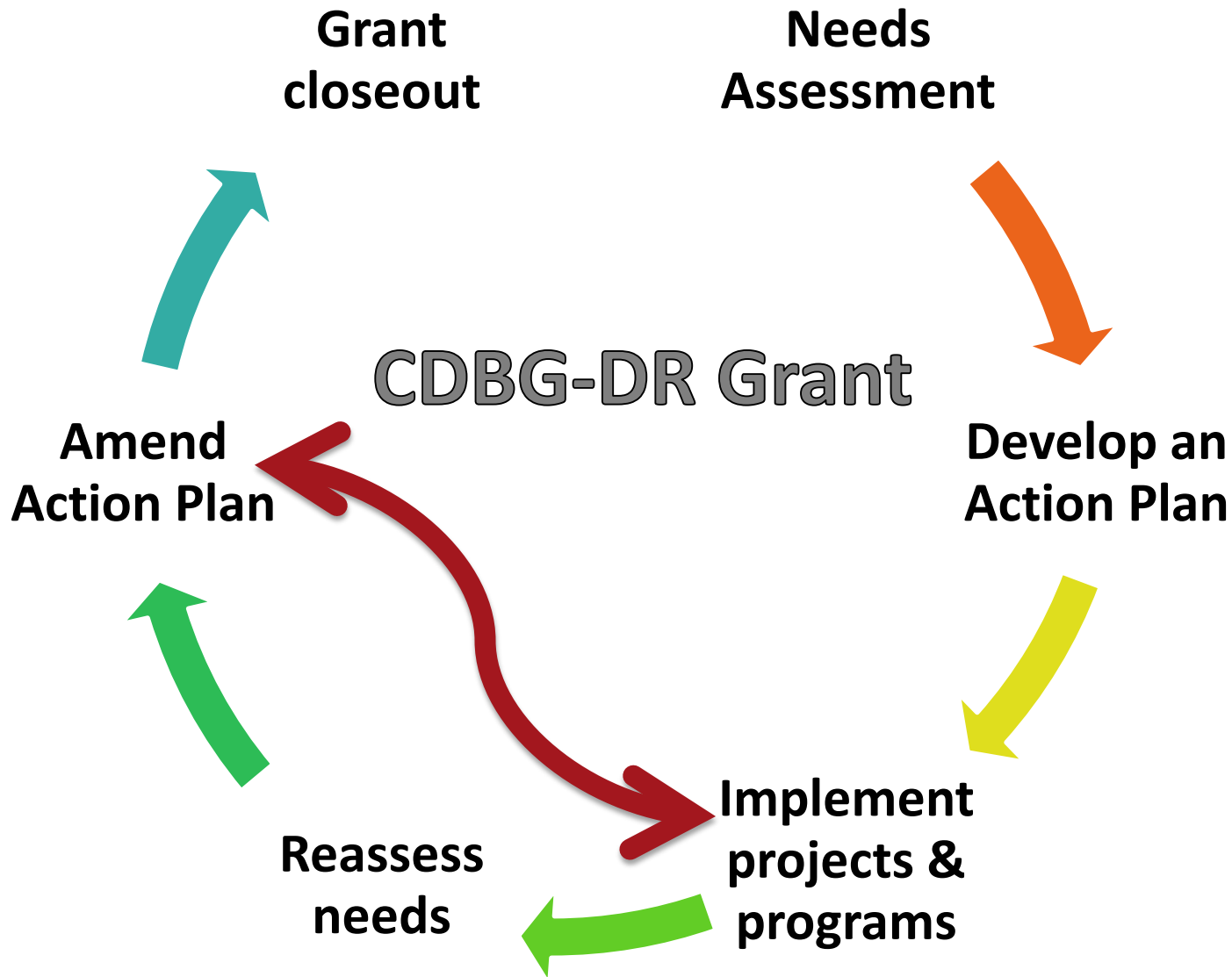
Polling and Asking Questions

- Webinar will include some polls
 - If you are attending as a group, feel free to briefly discuss before answering
- How to ask questions – Chantel Key, ICF
 - Questions will be taken throughout webinar
 - Written questions: Type questions into “Questions” box located on your GoToWebinar panel

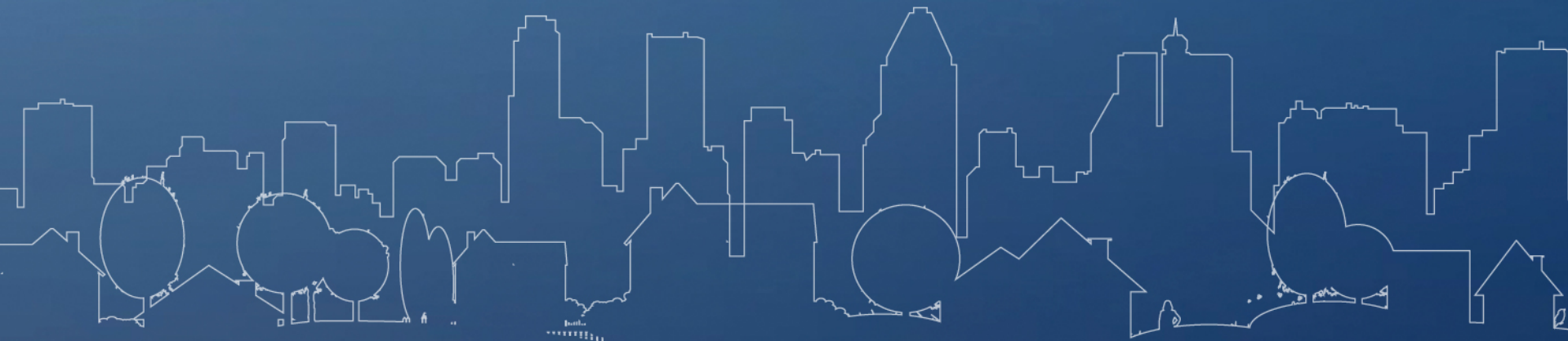
Agenda

- Assess recovery needs post-disaster
- Develop CDBG-DR Action Plan
- Implement the Action Plan
- Manage citizen participation to support compliance
- Outreach to vulnerable populations and those with Limited English Proficiency (LEP)
- Questions, Resources & Discussion

The “Big Picture”



Assess Recovery Needs Post Disaster



Needs Assessment – Disaster Impact

- Evaluation of disaster-related impacts
- Use the best available data
- At a minimum, grantees must evaluate three core aspects of recovery:
 - Housing
 - Infrastructure
 - Economic revitalization

Needs Assessment – Resources Available

- Assess other assistance available, or likely to be available, such as:
 - FEMA funds available for public infrastructure
 - FEMA damage assessments for owner occupied and rental housing
 - SBA Loan data for homes and businesses
 - Insurance funds available for rehabilitation

Unmet Needs & Funding Priorities

- Disaster recovery resources are scarce
- Use CDBG-DR to meet critical, unaddressed needs
- Illustrate the connection between the recovery needs and funding allocation
 - These do not have to align/match
 - Must include reasoning for funding allocations

Develop a CDBG-DR Action Plan



Poll #1

- Please indicate the status of your Action Plan
 - A. Submitted to HUD
 - B. Under development
 - C. Action Plan...what is that?

CDBG-DR Action Plan

- Plan to address unmet recovery needs through activities that:
 - Are CDBG eligible (or received a waiver),
 - Meet CDBG national objective &
 - Address direct or indirect impact of disaster

Ways to Distribute Funds

- State DR grantees must determine whether to:
 - Fund Units of General Local Government (UGLGs) or other subrecipients OR
 - Carry out activities directly OR
 - Use a combination of the above
- Entitlement grantees have the option of carrying out activities directly, utilizing subrecipients or a combination of the two

Grants to UGLGs/Subrecipients

- Pros
 - Subrecipients may be “closer to the ground”
 - More familiar with local needs
 - Have relationships in the community
 - Directly serve those in need through existing programs
- Cons
 - Requires significant oversight to ensure compliance
 - May slow expenditure of funds
 - May present compliance challenges if unfamiliar with CDBG

Implementing Direct Activities

- Pros
 - Activities/programs are narrowly tailored to meet identified recovery needs
 - More oversight– less risk of fraud, abuse, or waste
- Cons
 - Significant capacity needed
 - May delay initial expenditures and could increase administration expenses if not properly executed

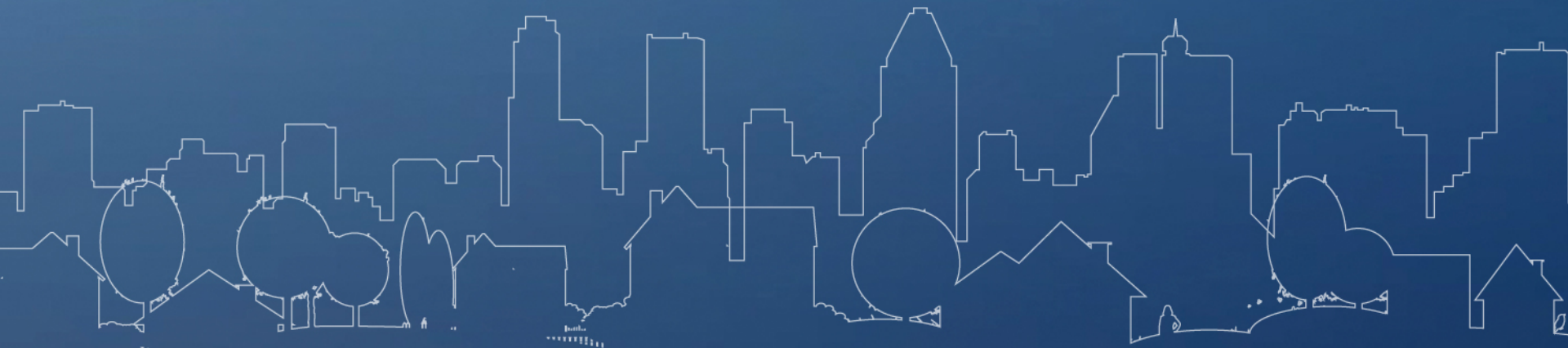
Combination – Subrecipients and Direct Activities

- Pros
 - Activities/ programs are narrowly tailored to meet identified recovery needs
 - Subrecipients are responsible for day-to-day administration of specific recovery activities
- Cons
 - Poor communications may cause a disconnect between the state and its subrecipients
 - Grantee assumes more responsibility for training, technical assistance, compliance and monitoring

Citizen Participation

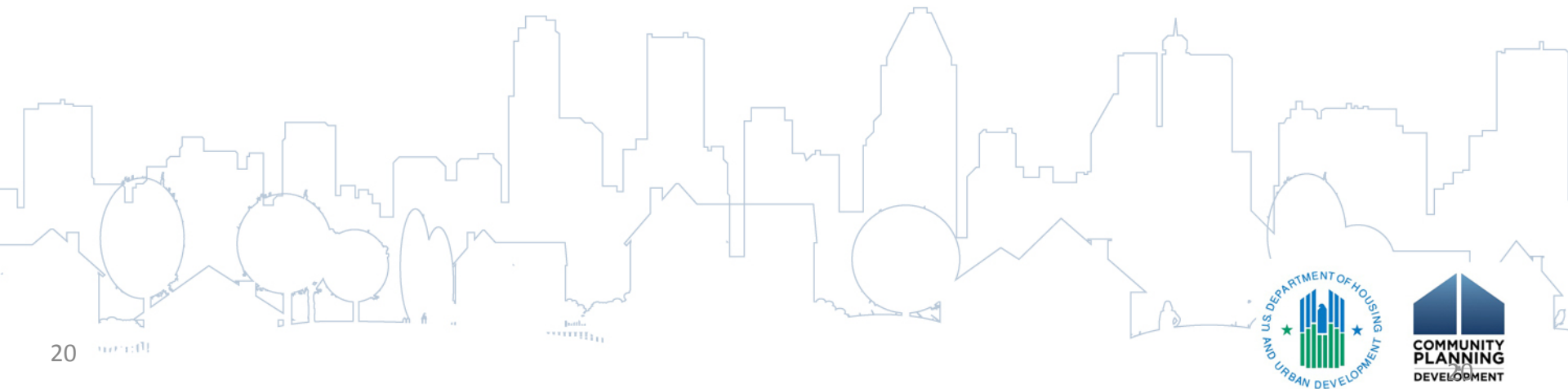
- Prior to formal submission to HUD, the grantee must post the Action Plan for public comment for a minimum of:
 - 30 days (PL 113-2 grantees), 1 public meeting required
 - 7 days (Other grantees in general, see applicable FR Notices)
- Action Plan submitted to HUD must address all comments received through the public comment period

Implement the Action Plan



DRGR Action Plan

- Once Action Plan is accepted, grantee enters information into the Disaster Recovery and Grant Reporting System (DRGR)
- HUD reviews the DRGR Action Plan; when approved, funds available
- Different purpose than hard copy Action Plan



Reassessment of Needs

- Why?
 - Change in unmet needs of communities
 - Recovery priorities have shifted over time
 - New information as result of citizen participation process
- How do grantees meet these needs?
 - Recalibrate existing programs
 - Develop new programs or projects

Action Plan Amendments

- Non-substantial:
 - HUD acknowledgement but no approval required
 - No citizen participation requirements
- Substantial:
 - Similar process to Initial Action Plan approval
 - Require HUD Approval to be effective/before can be implemented
 - Citizen participation requirements
 - HUD reviews using Substantial Amendment checklist

Substantial Amendments

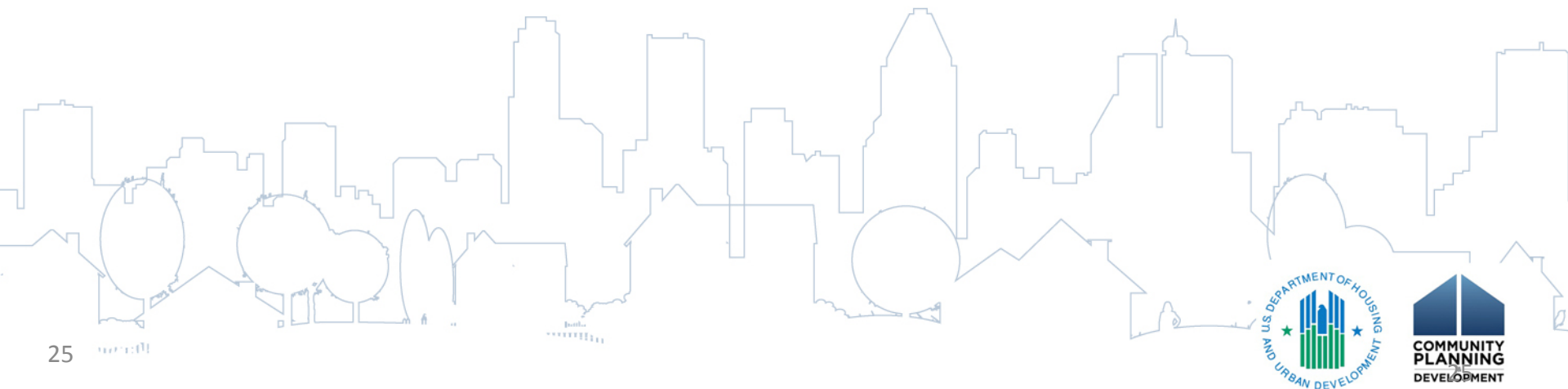
- Typical modifications, although subject to the Federal Register, that trigger a substantial amendment:
 - Change in program benefit or eligibility criteria;
 - Allocation or re-allocation of more than \$1 million;
 - Addition or deletion of an activity; or
 - Any other criteria as established by grantee in its Action Plan

Manage Citizen Participation to Support Compliance



Why Citizen Participation?

- Primary goal is to provide citizens, especially LMI, an opportunity to participate in:
 - Planning;
 - Implementation; and
 - Assessment of the programs and projects



CDBG-Disaster Recovery Citizen Participation Waiver

- In general, to ensure disaster recovery grants are awarded in a timely manner, citizen participation requirements are waived via Federal Register Notice
- Please refer to applicable Federal Register Notice for specific requirements for each appropriation:

<https://www.hudexchange.info/cdbg-dr/cdbg-dr-laws-regulations-and-federal-register-notices/>

Citizen Participation – Alternative Requirements

- Alternative requirements for Disaster Recovery grantees:
 1. Publication and Time for Comments
 2. Criteria for Determining Changes/Amendments
 3. Consideration of Comments and Summary for HUD
 4. Plans, Reports, Other Information Available to Public
 5. Timely, Written Responses to All Complaints

Citizen Participation – Certification Requirement

- Adopt Citizen Participation Plan per requirements of applicable Federal Register Notice(s)
- Certify that Grantee is following a citizen participation plan that satisfies regulatory requirements

Making Citizen Involvement Work

Program Level

Publication of Documents	Action Plans and substantial amendments
Public Notice	Action Plans and substantial amendments
Public Hearing	FR notice will determine whether or not required by HUD. Grantees must provide reasonable opportunity for review & comment
Community Meeting	Major issues, adjustments, new designs
Websites	Posting data on all activity levels, document libraries, reports
Citizens' Advisory Committee	Ongoing program review and advice

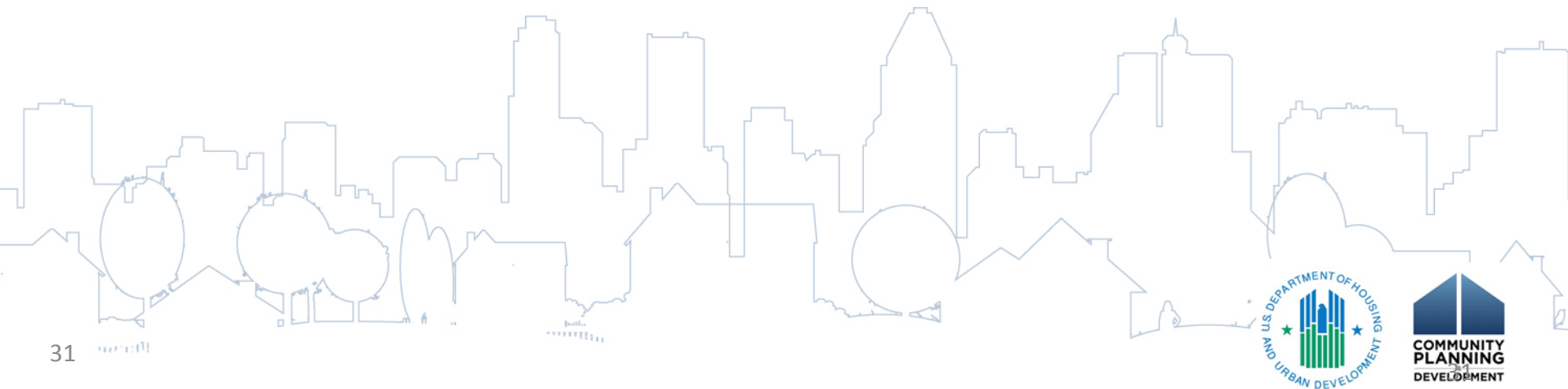
Making Citizen Involvement Work

Project Level

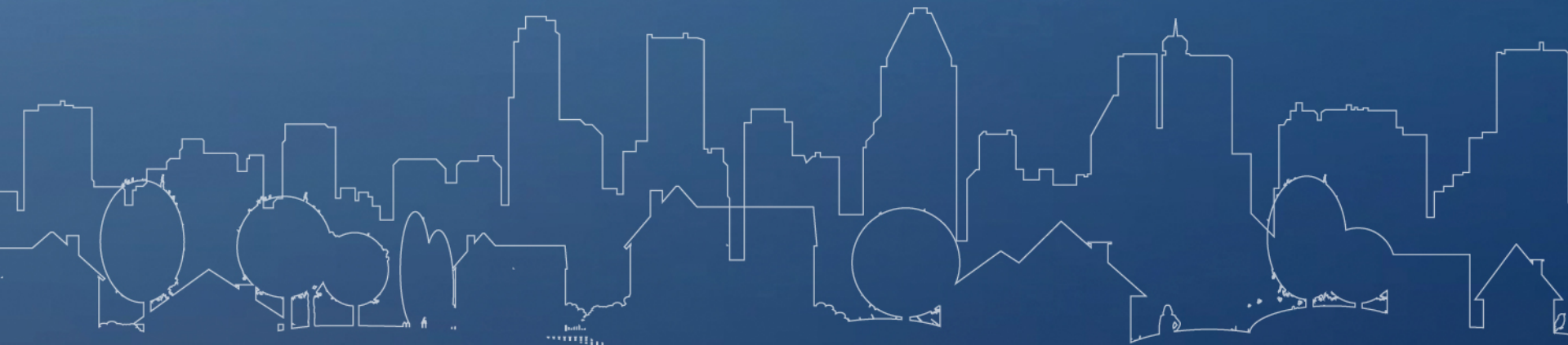
Community Meetings	Project design and update; feedback
Citizens' Advisory Committee	Possible role in coordinating projects
Neighborhood Meetings	Design, direction, fine-tuning project, and reporting to immediate area; feedback; can work like focus group
Websites	<u>For example:</u> https://www.newjerseyrebuild.org/
Interactive Web Environments	GIS, polling, comments, blogs

Citizen Participation – IMPACT on the Community

- Important to the success of CDBG-funded programs and activities
- Reduces the number of legal challenges and citizen complaints

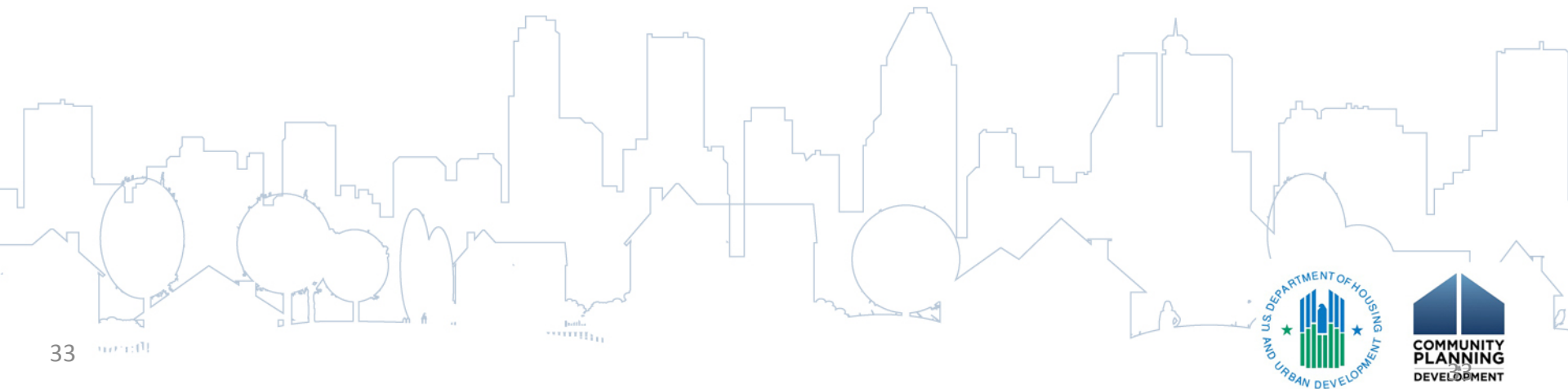


Outreach to Vulnerable Populations and those with Limited English Proficiency (LEP)



Poll #2

- Please indicate if you know the neediest Limited English Proficient (LEP) populations in your area/DR jurisdiction
 - A. Yes
 - B. No
 - C. LEP...what is that?

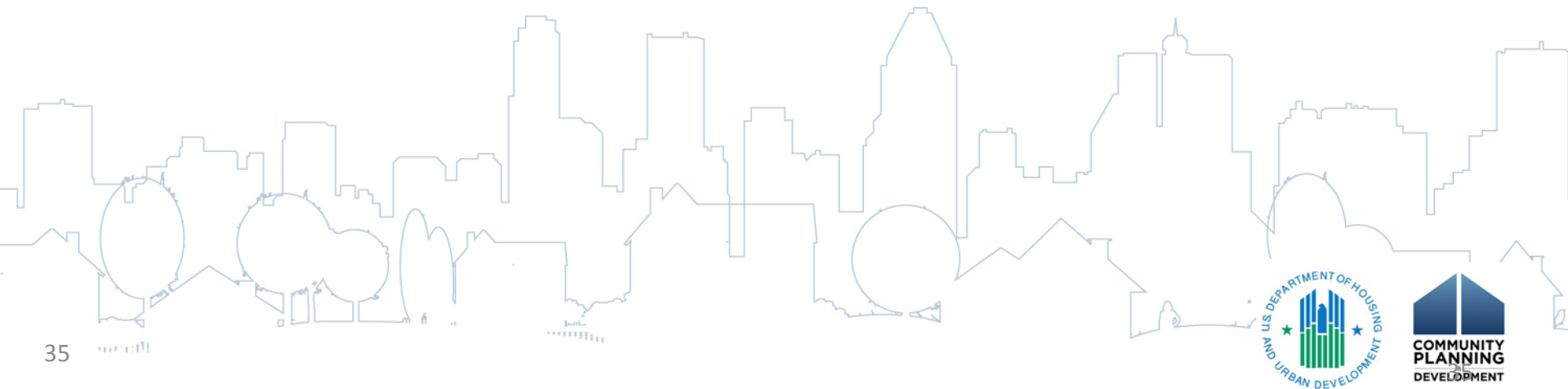


The Importance of Outreach to Vulnerable Populations and those with Limited English Proficiency

- Post-disaster, vulnerable populations, including those with limited English proficiency, may be most in need of resources and most difficult to reach.
- Vulnerable populations include:
 - Elderly
 - Disabled
 - Low or moderate income
 - Limited English proficiency

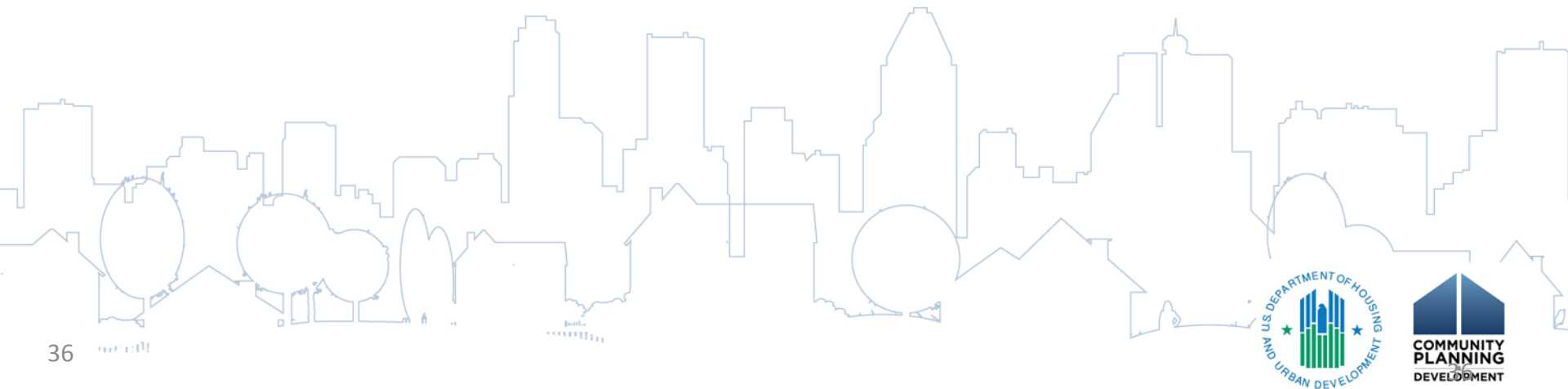
Methods for Identifying Impacted Vulnerable Populations

- Mapping
 - ACS data on age, disability, income
 - FEMA damage data
- Consultation
 - Service providers
 - Advocacy groups



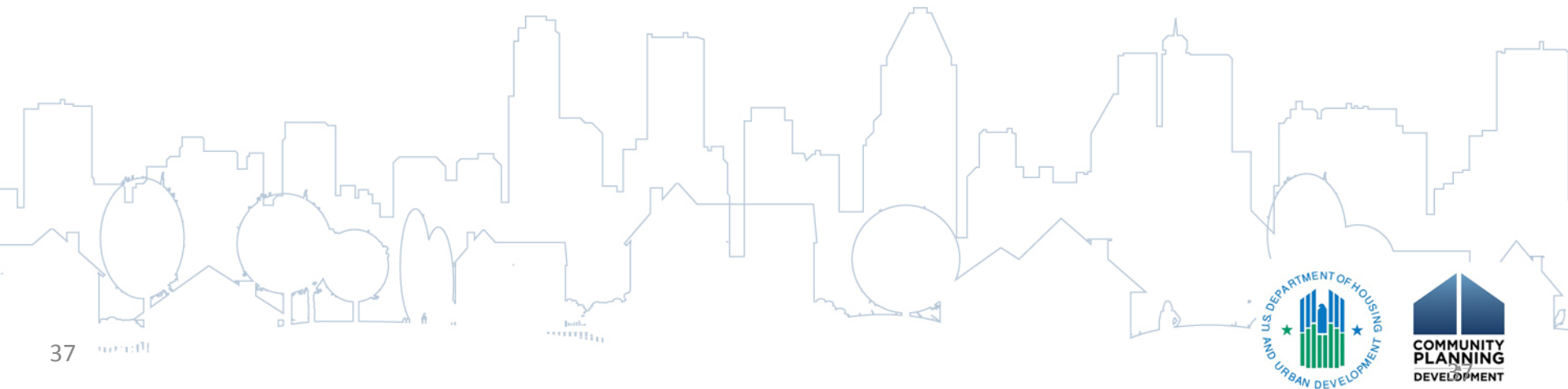
What is LEP?

- Census Bureau defines Limited English Proficiency as speaking English “less than very well”
- LEP population grew by 52% between 1990 and 2000, from 14 million to 21.3 million
- Fastest in states with greatest immigrant growth



LEP and Title VI

- Prohibits discrimination in programs and activities receiving Federal financial assistance on the basis of:
 1. Race
 2. Color
 3. National Origin



HUD's Title VI LEP Guidance

- LEP is implemented by developing a Language Assistance Plan (LAP)
- The LAP must include a “four factor analysis”:
 1. Number or proportion of LEP individuals served or encountered in the eligible service area
 2. Frequency with which LEP persons come into contact with the program
 3. The nature and importance of the program, activity, or service provided by the program; and
 4. The resources available to the grantee

Tools to determine Number or proportion of LEP persons served

- American Factfinder
(<http://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml>)
 - Can search by ethnicity or country of origin within given geographic area (city, county, or state level)
 - Data can be broken down into how well English is spoken
- Migration Policy Institute data
(<http://www.migrationpolicy.org/programs/data-hub>)
 - Data shows estimates of number of LEP individuals within a county
 - Data is taken from American Community Surveys and is organized by state
 - Shows absolute number of LEP persons and percentage of LEP persons

Determining if there is Meaningful Access

- What is Meaningful Access?
 - Ability to access programs and participate in services, activities, and other benefits
- Where should your analysis start?
 - Good starting point: Safe Harbors

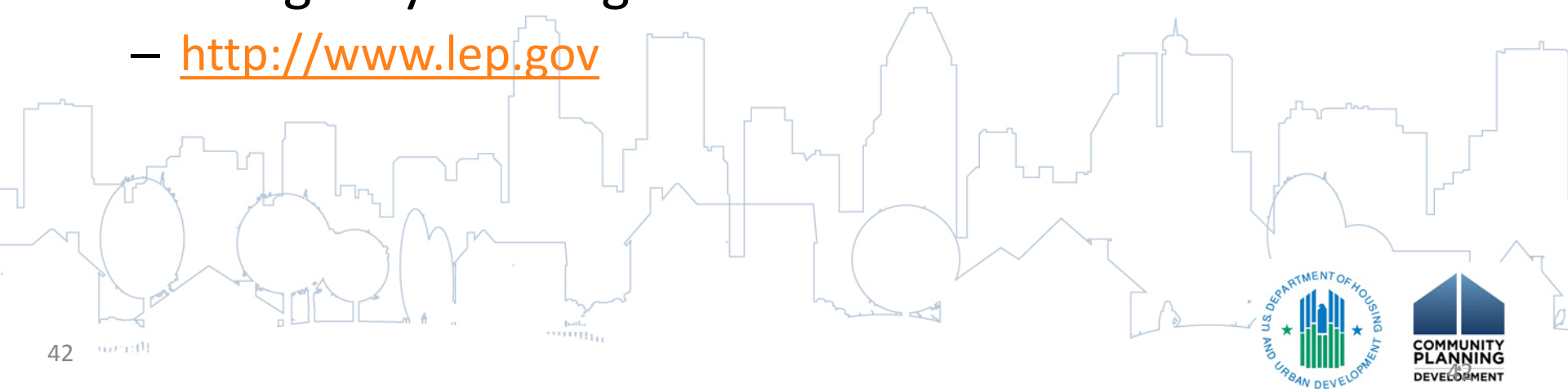
Size of Language Group	Recommended Provision of Written Language Assistance
1,000 or more in the eligible population in the market area or among current beneficiaries	Translated vital documents
More than 5% of the eligible population or beneficiaries and more than 50 in number	Translated vital documents
More than 5% of the eligible population or beneficiaries and 50 or less in number	Translated written notice of right to receive free oral interpretation of documents
5% or less of the eligible population or beneficiaries and less than 1,000 in number	No written translation is required

Minimum Essential Elements of LEP Services

- Essential elements of LEP services include:
 - Translation of vital documents (languages identified in 4 factor analysis)
 - “I Speak” cards available in required languages
 - Access to a translation line
 - Website accessible to LEP persons

LEP Resources

- Federal Register Notice on LEP, January 22, 2007:
 - https://www.hudexchange.info/resources/documents/HUD_LEPguidance_Jan07.pdf
- HUD LEP Page:
 - http://portal.hud.gov/hudportal/HUD/program_offices/fair_housing_equal_opp/promotingfh/lep
- Inter-Agency LEP Page:
 - <http://www.lep.gov>



Questions, Resources and Discussion



Group Discussion

- Take a couple of minutes and discuss (or think about) the following questions in light of your Presidentially declared disaster:
 - Which of the eligible activities should be your first priority post disaster?
 - Should they all occur simultaneously? What are the risks and benefits of that approach?
 - Are some activities better administered by nonprofit subrecipients than the grantee? If yes, which ones? How does this affect the timelines?
- Send any ideas or thoughts via the “questions” box

Other Resources

- Upcoming webinars in this series:
<https://www.hudexchange.info/news/2016-cdbg-dr-webinar-series/>
- CDBG-DR Website at HUD Exchange:
<https://www.hudexchange.info/programs/cdbg-dr/>
- 24 CFR 570:
http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title24/24cfr570_main_02.tpl
- Relevant supplemental appropriations law(s)
- Relevant Federal Register Notice(s)

Thank you!

