NDRC Stakeholder Consultation
Thursday, July 2, 2015
3:00-4:30pm EST

Sandy: Good afternoon, everybody, and thank you for joining us for the NDRC Phase II Webinar Series. Today's topic is Stakeholder Consultation. My name is Sandy Patel [PH], I am with TDA, a technical assistance provider for HUD. I will be serving as the host today. I am going to run through some technical instructions on how to ask questions and things like that before I hand it off to our wonderful presenters.

Please turn off your cellphones and close the email and all other programs on your computer, and give your undivided attention to our presenters today. If you have any technical problems, you can call my colleague, Vicky Grimm [PH] at the telephone number on the screen, or, you can send a chat message to the host. That will come directly to me. I can help you through any issues that you may be having. All participants will be muted during the call. Questions can be asked in two ways. You can ask a written question using the Q&A tool, or a verbal question via the conference call. You can ask written questions at any point during the presentation. The panelists will collect those and answer them when we stop for questions. To ask a written question, use the Q&A tool. It is located on the right-hand side. You can see a screenshot of what it looks like up on the screen. If you do not see it, click on the triangle and it will expand the box. Please ask questions to all panelists, then just type your question in the box and click send. Again, you can do at any point during the presentation. You can also ask questions verbally. There is one step that you will need to do in order to do that. You will need to connect your phone line to your online login WebEx. If you take a look at the participant panel, you will see your name under the attendees. If there is a phone icon next to your name like there is one on my slide there, then you're all set. If there is not a phone icon next to your name, you will need to look on the event info tab, midway down the page, there is an identification code. It says pound and then a number and then pound. You can put that in your telephone keypad at any time. When you are ready to ask a question, there is a hand icon on the lower right-hand corner of the participant panel. If you click that, you will verbally raise your hand. When we pause for questions, we'll take all questions in the order that they are received. We will unmute your line and ask you to ask your question at that point. All questions, whether written or asked verbally, will be answered verbally. We may not be able to get to all questions, but we will try to answer common questions first. Please send additional, unanswered and private questions to the email address on the screen. That is ResilientRecovery@hud.gov. With that, I'm going to hand it off to Duncan Yetman with HUD.

Duncan: Hi. Welcome aboard, everybody, welcome to today's National Disaster Resilience Competition Webinar, NOFA-specific webinar on Stakeholder Consultation. Joining me today in the room is Jessie Handforth Kome, the Deputy Director of the Office of Block Grant Assistance here in HUD, Lauren McNamara, an Environmental Specialist in our Office of Environment and Energy, and Allison Heck, who is going to be handling the questions at the end and is doing some other logistics for us today, and she is with the Office of Economic Resilience.

We're going to get right into it now, and get over to the agenda. So, for today's call, basically, it's pretty straightforward. We're going to overview the National Disaster Resilience Competition.

We'll get into the stakeholder consultation as you knew it from Phase I. We'll get into what's expected for Phase II and cover resources available to you, and then get into your questions.

The National Disaster Resilience Competition, you've heard us talk about this frequently. We're making one billion dollars available to communities that have been impacted by natural disasters, between 2011 and 2013. As you know, there needs to be a tie-back or a link of your proposal to the disaster from which you're recovering, and you need to demonstrate how you're reducing future risk and advancing broader community development goals within your target geographic area.

Looking over at the timeline, as you can see, we are right now at the beginning of Phase II. We have 120 days in Phase II until the application deadline of October 27th, 2015. HUD has invited a subset of applicants from Phase I to participate in Phase II, and will be making funding awards at the conclusion of Phase II. Phase II calls for reconsideration of some of the issues that we're going to be talking about in today's call, or today's webinar rather, at a more granular level of detail.

Going on to the goals of the competition, I know we talked about this last week, but I think it bears repeating, that engagement of stakeholders is one of the six goals of this competition. Stakeholder consultation is a critical component of your response, and something that will distinguish your response as a model, as replicable, or as holistic.

Going on to NDRC, NOFA consultation requirements in Phase I, all applicants must consult as you did with adjacent states, tribes, units of general local government, etc. Looking at the actual Appendix I to the NOFA, this next slide highlights a couple of musts for you. It stresses what the minimum consultation requirements are for states and eligible UGLGs. These are musts, and we're going to offer in the next few slides some more detail on what that means. So, looking at your NOFA consultation requirements, they need to be carried out in a way to sufficiently address your recovery needs, your community development issues, and vulnerabilities in areas affected by that qualifying disaster, and identify and design an approach that will directly address those needs. And, for eligible states, you must consult with units of general local government, those UGLGs, including eligible entitlements not identified as eligible applicants, any other local or regional agencies. And, to ensure consistency with applicable regional development plans, you must additionally consult with tribes, UGLGs, and other stakeholders and affected parties. And, as for eligible UGLGs, you must consult with adjacent UGLGs, other local or regional agencies, adjacent states. And, to ensure consistency here with applicable regional development plans, you must additionally consult with tribes, UGLGs and other stakeholders and affected parties.

As it relates to Phase II, it's important to point out that the scope of this consultation and the number of stakeholders with whom you consult is going to be different for every applicant. Your phase one framing is a stepping off point for your stakeholder consultation in Phase II. But, that does not mean that further consultation should be limited to only those stakeholders with whom you consulted in Phase I. And, with that, I'm going to turn the slide presentation over to Jessie Handforth Kome.

Jessie: Hey, this is Jessie, and I have a really scary looking slide here. You've all seen these questions before. They're the Phase I factor three review criteria, the factor prompt, actually. And, these questions that you answered as part of your response to the Phase I and were heavily scored in Phase I, because they're part of this framing, they still underlie the sound approach. So, we can tell you that the applicants that recognized partners as full stakeholders, that really, really, really, reached out to as many stakeholders as they could get to and who they're—and, all the way down to

individual citizens in quite a few cases, or as they say, cast a wide net with their consultation process or consultation plus planned consultation process, they have more opportunity to talk to us about a wider range of aspects of angles and approaches as it were, or ideas about resilience in their community and community development objectives. They weren't just limited to their government ideas about what would constitute a more resilient community. They got feedback from all over the place, and it really showed in the applications and the quality of the thinking. And, so we became even more advocates of stakeholder consultation that was very vigorous and wide-reaching and wide-ranging. But, stakeholder consultation isn't just a single static event separate from the application process. It is ongoing; it's foundational to the whole process.

Weaker applications that we saw are the ones that we felt were weaker. These either gave short-shrift to citizen participation, they saw it as just an application requirement instead of a way to define the problem that they were trying to solve and to find additional solutions for it. We saw a lot of them, very little to no comment mentioned in their consultation summary, or reference in the application itself. I would encourage all of you, even though we're not giving 15 points to the stakeholder consultation in Phase II, to really think about the idea that we've shown you before, which is that your sound approach isn't just your idea and how you're going to carry it out, it's your consultation plus your idea. And, this is showing you the slide from Phase I where we showed you that consultation there was 15 points.

What you're going to do moving forward to Phase II is you're going to think about this stakeholder geography again, and you're going to think about, that you know your stakeholders in your MID-URN area, and we want you to make sure you talk to vulnerable populations, and adjacent areas that are directly affected. But, there are points for reaching further and talking to stakeholders in a broader area. And, it may be less there with those stakeholders about direct effects of your qualified disaster and much more emphasis on the other things that are mentioned in the NOFA about your resilience needs and other community development objectives. And, how this can all work together to make your overall resilient recovery project and proposal even more effective and achieve its goals and multiple goals. We love co-benefits, right?

So, let's jump forward to your Phase II outreach. We're not asking you necessarily to restate the outreach that you did for Phase I. There are directions in the NOFA, and you should read them and I guess this is where we say the standard disclaimer, the NOFA rules, not the webinar. So, read the NOFA. Any place they, you don't think they are matched, then the NOFA rules. What you're told to do in Phase II is to iterate, is to talk about what you did in Phase I, to consider what you did in Phase I, and do—and, we'll talk to you more about some reasons why when you get to the project level. But, the purpose is to broaden and to deepen your stakeholder involvement. I had a recent experience where I was talking to somebody in a HUD field office, and we said, "Did they consult with citizens," and we were talking just about a Con Plan and they said, "Yeah, they sent everybody a note. They sent everybody emails and they notified everybody." And, we're like, that's not consultation. Consultation goes both ways, it's a conversation. It's usually multiple events, and ideas are exchanged, not just let's all go meet here or we're going to do this, okay. Really consult, it definitely makes proposals better.

We're also going to talk to you—and, I'm going to be turning this over to Lauren. Because, the competition was designed and the consultation requirements for the competition were tweaked a bit so that it can dovetail into supporting you meeting your environmental review responsibilities for consultation and environment justice responsibilities can dovetail into a lot of the consultation

requirements. And, this is all designed to try to help you be ready to launch very quickly when we get there. So, with no further ado, Lauren.

Lauren: All right. Thank you, Jessie. I'm just going to give you guys a quick overview of some of the environmental review process and where consultation for Phase II can be addressed for certain environmental factors.

Here we have a screenshot of the HUD Exchange Environments Review page. Here you can find links to a wealth of information related to your environment review requirements, including samples of public notices, actual environmental impact statements that have been submitted, and there are links to more information on related federal laws and authorities. You can find this site on the HUD Exchange under "Manage a Program Environmental Review", or you can simply Google, "HUD Exchange Environmental Review."

You should probably have the answers to most of these questions already if you've continued to refine your idea or concept throughout the spring. The scope of the project is what will the impact be. What are the direct and indirect effects of the activities involved? This can broader than what the funding will actually be used for. What activities will be included? For example, will the project be housing, will it be wetland restoration, will it be flood prevention. Where is the project located? Clearly defining the area now will help with the environmental review and consultation down the road. Maps. Environmental reviewers love maps. Here, we look for maps for wetlands, flood plains, so, of course, aquifers and the coastal zones. And, if there's any area that will need further attention during the environmental review process that you are able to identify in these maps, you can start with a map. For example, if a project is located in a coastal zone, you can start working with your state coastal zone management agency to see if your project is consistent with their management plans.

Identifying the project, project aggregation, you guys should group together and evaluate a single project as all individual activities that are related geographically, functionally and are logical parts of a composite or a contemplated action. Evaluating a project as a whole promotes consideration of the impacts of the similar and connected and closely related and dependent activities at one time, and promotes consideration of cumulative impacts. And, then we also have the "but for" analysis. If in doubt as to whether to include an activity, conduct a "but for" analysis. "But for this other project activity would this project be undertaken?" For example, "but for this construction of wastewater infrastructure, would this new housing complex be taking place?"

Jessie: And, remember that we designed the definition of project for NDRC to, again, to work in a supportive way with the environmental review definition of project. So, they're meant to work together and should like almost completely dovetail into each other.

Lauren: Great. Okay. So, then once you've defined your project a little further, you will have to determine the appropriate level of environmental analysis that you'll need to undertake. You as the applicant are the responsible entity for the environmental review, so you can ignore that box in the lower left-hand corner. As the responsible entities, you are familiar with the Part 58 environmental requirements. There are five levels of review: exempt, categorically excluded not subject to 58.5, categorically excluded subject to 58.5, environmental assessments and environmental impact statements. You may determine through your project identification and scoping to proceed directly with the preparation of an environmental impact statement, and I'll talk a little bit more about environment impact statements in a bit. But, one thing to note if you are going

to be preparing an environmental impact statement, you should talk with your local field environmental officer if you think that that's the way the project is going. And, you will probably need to get a consultant on board to help prepare this document.

Jessie: And, most of you aren't going to go quite that far. You do not need to complete the environmental review for the end of Phase II, because you don't know if you're going to get funded.

Lauren: Right. All right. Next slide. Most projects will probably exceed the categorical exclusion threshold found at 24 CFR 58.35, and will require an environmental assessment or possibly an environmental impact statement. Early stakeholder consultation is important to EAs, and EIS to help us address any issues that may come up during a public comment period. There are a number of opportunities, depending on the project, to combine stakeholder consultation with part of the necessary environmental review or requirements. Some of these include NEPA; Section 106, historic preservation requirements; environmental justice, floodplains, wetlands; and also endangered species.

Now, I'm just going to go, give you a quick little update on Section 106. So, at the top we have a link to our website. The important thing here is to expand consultation beyond the state historic preservation officer or the tribal historic preservation officer, and to include the public historic preservation groups and other interested parties. The interested parties include all those community stakeholders in your MID-URN and beyond who you've been speaking to throughout your framing process now and may include additional parties as one or more projects are identified. So, step one for the Section 106 project is to initiate the process and identify all of these groups, which will then build into the other parts of the Section 106 process steps two through four.

Environmental justice, as you weigh your project alternatives within your area of greatest need, environmental impacts on vulnerable populations is a necessary consideration as part of your stakeholder consultation. Will the project create an adverse environmental impact? If so, are these adverse environmental impacts disproportionately high for low-income and/or minority communities? Our website on the HUD Exchange has links to EPA's EJ-Mapper, which can help with this analysis. And, then look at, "Can adverse impacts be mitigated?" Engaging the affecting community in a meaningful way and having them participate in what mitigation measures can be taken will help the project move along better, including any potential to relocate the project to another site or selecting a different project. The Council on Environmental Quality's EJ guidance encourages opportunities for complete representation of the community as a whole through means other than written communication. So, these are meetings with people, not just emails talking about the project, but really getting everyone in the same room to talk about the issues.

Floodplain management and wetland protection, if a project will impact a floodplain or a wetlands, which you can identify using the maps that I spoke of before from FEMA or the National Wetlands Inventory. There is more guidance on the HUD Exchange on what needs to be done, but in general, there's an eight-step decision process for floodplain management and wetlands protection. And, this process includes early notification for the public and opportunities throughout for consultation on various project alternatives. The eight-step process does include two public notification requirements, which are 15 days each.

So, now I'm going to quickly talk on environmental impact statements. As Jessie said, not everyone's going to be working at this high of a level of review, but just to give you some background, everything on this slide is the HUD threshold for environmental impact statements. So,

if your proposed project meets one of the these thresholds, or if you complete an environmental assessment, but you are unable to make a finding of no significant impact and need to do an EIS, this is just the threshold for that. There's a recommended format to be followed for the preparation of the EIS, which is found at CEQ's regulations 40 CFR 1502.

So, as I said on the previous slide, a finding of significant impact or a finding of no significant impact, what is significant? Take a look at the CEQ regulations at 40 CFR 1508.27, or talk with your local field environmental officer. Context, this means that the significance of the action must be analyzed in several contexts such as the society as a whole, human, national, the affected region and the affected interests and the locality. Significance varies within the setting of the proposed action.

The EIS intensity, severity of an impact, this is just a list from the Council on Environmental Quality's regs, just talking about what would meet significance. So, affects public health or safety, unique characteristic of the geographic area, degree to which the action may adversely affect, endanger or threatens species or critical habitat, and there's a long list. But, please refer to CEQ regs or talk to a field environmental officer.

And, then finally, scoping, so scoping is part of the environment impact statement process, but it also can be used for environmental assessments. There should be an open process for determining the scope and issues to be addressed. This is where you get people involved, and it's a way to talk about the alternatives for a project and consider and identify any significant issues related to the project. For environmental assessments and environmental impact statements, there are public comment periods. You want to get the information from the public before you put out your public comment period so you don't, so it's more of a conversation and not here's our findings and then getting a bunch of comments at that time. You want to keep the conversation open and consult with everyone.

So, now I'll turn back over to Jessie.

Jessie: Okay. And, I want to emphasize that not all our applicants are working at this level where they're definitely going to set off an EIS, but we saw several applications that we think there's a really good chance they are. So, we wanted to make sure that we got this in. And, I'd also like to remind people that the reason that NEPA was considered a revolutionary law when it went into place, it's still in action today and consultation can actually help you strengthen that purpose. And, that purpose was that litigation was stopping almost all projects while the actual effects on the environment were being litigated out in the courts. By doing this analysis and talking to everybody and figuring out all of the possible environmental effects and determining whether there's an impact and what mitigating actions you have to take and doing it through this public process, when you get done, you can't be litigated against again for a whole number of aspects of the project so long as you did the job right. So, this is consultation that's like good and good for you at the same time. So, I would say we wanted to emphasize that we believe consultation is good, because you get better projects at the end result of consultation process. But, it's also protective for you and protective of the schedule if you take the time up front to do the consultation.

That said, when you're going through on Phase II, we've got from the NOFA, which is now on page 40, and once again, I'm so happy we have page numbers. When we're talking about resilience needs within recovery needs, understanding your resilience needs, particularly the resilience needs that relate to things that you don't necessarily have data for, like social cohesion, where there's some

data, but the neighbors are going to tell you whether they know everybody or not. There's data on is it a vital area, you have a lot of economic activity, but maybe you have a lot of small business owners coming in and telling you during consultation that there's a real thing happened the next neighborhood over that's threatening them, and they'd like any project or work in their neighborhood to take that into account. There's no substitute, really, for defining the problem by actually talking to the people. And, in Phase II, you're honing in on a particular place or a small number of places where you're going to do projects, and you have a chance to find all the stakeholders and actually talk to them and deepen your understanding of the area and of the needs. And, with that, then maybe your investment can serve more purposes, and provide more co-benefits.

Let's jump forward. Okay. So, you can see that was B on the last slide and here's C now, which is the appropriate approaches, and this is the place where you're going to update your Phase I idea or concept framing. We moved it from soundness of approach backward into the needs factor for Phase II, and because it's the wrap-up of how well do your needs come together in the general approach you're going to take. This is where you can hone what you gave us and you all have comments on this particular factor from Phase I. And, move it forward, the thing that we layered over the top is tell us, sort of group these things into two things, like roughly what would be eligible, what's eligible, what has tie-back and what's not eligible or doesn't have tie-back, but you're also going to do as part of your proposal. Talk to us about what would be the 30,000-foot level. Some of you got all the way to branding your proposals and some of you didn't, but explain it here. It's not a huge number of points, but seven points can well be the make or break, so pay attention to all the points in the competition. As I've said on other webinars, we definitely have a competition on our hands here.

Okay. Next slide. On the soundness of approach, we emphasized here that a sound approach has all these criteria, has all these characteristics, but that you've researched and brainstormed solutions with significant community stakeholder involvement. And, that you repeat the process recursively, which is applying a procedure or rule repeatedly, weekly meetings, ways you're reaching out to arrive at a comprehensive solution for local issues, and then I would even add to this, although it's a backend thing and not a frontend thing, for making sure the thing gets done and that it works. Stakeholder consultation can help you all the way through from beginning to end. Of course, in the competition, we're interested in beginnings for the most part. But, you really need to drill down to your community stakeholders within the MID-URN areas and you're overall proposal areas to be able—and, do it over and over again.

The resulting project descriptions, and this we're now moving to Appendix I in the consultation summary, the project description is a useful tool for you. You need it, you're required to have it for environmental purposes, and it helps you explain your sound approach. At the 30,000-foot level and at the more detailed, granular, level lifted out of your overall proposal, your project description, and it needs to include environmental effects of different design approaches and their impacts, and emphasize the effects on vulnerable, low-income, minority or underserved communities. And, these are picking up threads from the vulnerable populations as the NDRC language. Underserved and minority are languages used in environmental planning and in some our civil rights requirements. And, so these are the communities that we want you to talk about with regarding environmental effects, are the ones that predominantly live within your MID-URN target areas. So, especially with vulnerable populations that are lower income or in protected classes like disabilities. We know those are the populations that have trouble recovering, and a lot of times, people, they have trouble recovering because they're cut off, which means you don't know their needs, because you haven't

been talking to them and they haven't been able to communicate with you. So, for you to score highly, you are going to have to describe how vulnerable populations will benefit from your project and overall proposal, and how you consulted and allied with other jurisdictions in your region during both phases and developed a project that fits into your larger framework of your region as well. That's for the top scores. We're always, always looking for that extra reach beyond the MID-URN or deeper to vulnerable populations and a better understanding of stakeholder needs and community benefits, other community development benefits, and co-benefits.

So, this is directly from the NOFA for Phase II and Factor 3, Soundness of Approach. Stakeholder involvement doesn't necessarily leap out at you as strongly in Phase II, but it's there, it's like a continual little markers for it, over and over and over again. And, you just have to keep watch for them, which is why we're doing this webinar.

So, forward. Conducting Phase II outreach, we think of it as community engagement, inclusiveness, regional collaboration, cross-disciplinary collaboration, and this isn't just with organizations that represent groups or organizations that are your partners. We want you to try to reach all the way to citizens, individual citizens, to the public, including persons with disabilities and limited English-speaking populations, vulnerable populations. We are also looking now on the level of stakeholder engagement that, but it's very clear, as most of you are much more comfortable when we did, which is project coordination in partnership with other key stakeholders, including stakeholders, particularly for large governments or for state, stakeholders that may be other agencies that you don't normally work with. We're looking for consultation and stakeholder involvement that shows up in need determinations, design, implementation, commissioning, which is early implementation and putting something into use and figuring out what's going to work and what's not really quick, and making adjustments. And, then evaluation phases of the project, and just working with organizations in general, how are you engaging them, including them, all the way through. And, we do want your outreach plan ideally, to think beyond the submission deadline and through to project evaluation, post-completion. But, it is not a hard requirement; we just think that's consistent with good management.

We brought back a slide from an earlier non-NOFA, one of the topical webinars on stakeholder engagement that we did in Phase I, just to talk about what meaningful involvement means. Because, we occasionally get asked what do we mean by meaningful. And, we looked for certain specific things, which is that the decision-makers, whoever they were, were seeking out and facilitating involvement of potentially affected populations and organizations. That people had an opportunity to participate, that you weren't just saying, "I emailed everybody and I didn't get any responses." And, we're like, that's not a real opportunity to participate. And, where we could see that agency's decision was improved or changed by the public's contribution. In some cases, some applicants were clearly, essentially, redirected by their public engagement. So, we really, really want to encourage that meaningful involvement before decisions are made, while low-cost or no-cost mitigations are possible, because that ties back around also into your environmental. So, this also, meaningful involvement, ties back around into your environmental requirements. And, all-in-all, the stakeholders are going to be your critical partners when you want to actually implement and prevent and mitigate and recover from disasters, that's what, how you get resilience, is getting it ready to work together.

Okay, Duncan, you want to bring us home?

Duncan: Sure. Okay. So, looking at conducting your Phase II outreach and inviting the affected parties, again, this is another slide that we borrowed from an earlier presentation on stakeholder consultation. But, remember that any meeting is an opportunity to talk about your project with others. So, avoid the segmentation, the silos, the cylinders, all those things that are going to prevent you from talking about the project, or only devoting conversations on the project to a select group of parties or individuals. Remember that all the folks that are within your target areas have a voice that they deserve to be heard. So, cast a wide net, reach out to all stakeholders and thing about your project and whatever it is you're thinking of implementing from the perspective of affected parties. Really look at everyone down the line, whether it's employers, developers, transit operators, service providers, cast a wide net.

Jessie: As we frequently get told, most people don't like to have something about them without them, or as it's sometimes said the other way around, nothing about us without us.

Duncan: Right, right, so please do that. And, then looking at your citizen participation requirements, again, this is, you know this, this is something that we've talked about to a great length in Phase I. You need to provide reasonable opportunity. We're giving 15 days for citizen comment, for information that is made available. And, then be sure to publish and have links to your official website. We saw this to a great extent in Phase I, but we need to make sure that it's, that there's some type of link to the official, the applicant's official website, even if there's a separate website or web page for the materials that you're required to publish on your webpage. Make sure that an official link, that link is on your official website and be sure that all citizens have access to that information, and be sure that when you have someone who's searching your website, that it's searchable for the topic of disaster resilience, and it will lead to this material. And, do provide reasonable timeframe and a method for receiving comments on your submission. So, allow yourself adequate time before the Phase II deadline to be able to receive those comments, process those comments formally.

Looking on to Appendix I, your Consultation Summary and your chart, Appendix I, again, you're familiar with it, you've seen the list of agencies that states and UGLGs need to consult with, or should consult with or should consider consulting with. All that information is found there. The outreach plan, again, it needs to include strategies that insure that vulnerable and underserved populations are involved in this planning process.

Okay. So, we're going to be concluding today's webinar and we wanted to do so—we didn't want to do so until we offered to you again what are some additional resources. For Phase II, the Rockefeller Foundation is once again supporting the goals of NDRC, and they'll be convening resilience workshops and just stay tuned for further details on that. There are also other NDRC resources. You can find them on the links provided on this slide. The fact sheet that came out when the Phase I winners were announced on June 22nd, that is up there. The NOFA is available and up there at grants.gov. Again, submit your questions to ResilientRecovery@hud.gov. And, of course, our NDRC NOFA and Resilience Webinar Series is available.

Just so you know, we will be posting slides, recordings and transcript for this particular webinar by the end of next week, on the NDRC Webinar Series news page. And, be on the lookout for that if you have any questions. And, then so for right now, we will begin to take questions from you, and we'll be answering those verbally. Thanks.

Jessie: All right. So, the first question I can see in the queue is "Are the environmental justice questions part of the ERR itself or separate?"

Lauren: Environmental justice requirements and those questions that I posed before are part of the environmental review record.

Jessie: Okay. That was good. And, it's in the reg.

Lauren: Yes.

Jessie: Okay. So, "Was the NOFA updated with page numbers posted on Grants.gov?" When I downloaded a version of the NOFA from Grants.gov and printed it, I got page numbers. I must say a few of you noticed that we had a small math error on Grants.gov. We had since fixed it. We are not handing out a trillion dollars, it's only $999,108,000. OMB wouldn't give us the extra money. They made us fix our error. Ah, well.

"What does it mean when it says 'as waived'?" I assume you are talking about where in the either citizen participation or consultation for the Con Plan, it says as waived. We have in Appendix A a whole bunch of waivers and alternative requirements, and it's definitely time, if you haven't read Appendix A, for you to read Appendix A so you know exactly where you have to bring this sucker down for a landing if you get money. Because, that's the post-award requirements. Some of the things we had to do were that the citizen participation requirements refer to the regular CDBG program and we had to change some things to refer to disaster recovery and stuff like that. So, there's not any huge waivers, but the really big waiver is it's 15 days. So, you need to read for that citizen participation part of it. So, but definitely read—and another part of the waiver is we tell you exactly which pieces of the application to post, and we fixed that from, I think, we've got it completely fixed from the Phase I thing. Appendix A now matches the NOFA.

Any other questions? What do we got?

Duncan: Okay. So, I'll read the next question. "Can we include other comments in the engagement attachment beyond what is received as part of the official public comment period? The overwhelming comments were part of iteration before the application was posted for comment."

Jessie: I don't have a problem with that if you want to include some of the comments that you got, a summary of them as part of your consultation summary. We amended the NOFA to allow the citizen participation comments to be submitted as part of Attachment D. Knowing how we actually relied on the consultation summary sheet in deepening our understanding of what different organizations were and when they were talked to, to understand your narrative in Phase I. I don't have a problem with that, but the required comments are the comments from citizen participation.

Duncan: "Will the applicants be expected to begin environmental review before learning the results of Phase II?"

Jessie: No, but we're offering you the opportunity to see where doing so could help you launch faster. It's where meeting the Phase II consultation requirements, for example, can help you set up for, if you do get funded, for moving pretty fast. Because, the backend on this money, there's a statutory deadline and it's going to be hard to hit if you have a big project. So, we're trying to do everything we can to make, for the selected projects, launch go more smoothly. We're offering the

opportunity, but it's not a requirement, obviously, not a requirement to start environmental review before you know if you're going to get funding. I totally understand that that's a balance point you're going to have make a judgment call on.

Duncan: I'm sorry, what's the next question, the one you're putting on, okay. So, "Can you assist in reconciling the statement at the beginning of the webinar that public meetings, citizen participation should not be able to tell the public what the project is and the ERR slides that are project-specific?"

Jessie: This is a two-part question. I'm going to let Lauren deal with a piece of it. But, I think what you're asking, if I get this right, is that you want to know, I mean, if you go out there and say, "Hey, this is what the project is and we're not willing to change it," you're not helping yourself on environmental review, and that's not consultation. If you go out and say, "We've considered these needs that you have us on our first round of discussion. We think this project meets these needs for this reason. Can you give us some feedback on whether you think it meets the needs? Is there anything we missed, and are there any alternatives?" Then, you're going to be killing all the birds with all the stones and probably getting a better project out of it. I hope that makes sense in terms of an answer.

Lauren: Yes, that's…

Jessie: That's essentially it? Okay.

Duncan: Okay. All right. "Will the applicants be expected to begin…" oh, we did that one, okay, I'm sorry.

Allison Heck: The next one we have is "Can you tell us what the statutory deadline is?"

Jessie: Oh, yeah, September 30, 2022, the money is swept by Treasury. The deadline for HUD to obligate funds to, under that law, Public Law 113-2, HUD has to obligate funds by putting them under a grant agreement, a fully executed grant agreement by September 30, 2017. And, from that point, unless you get a waiver, the point of grant award with HUD, whenever it happens, whether it's January, 2016, or later, September 30, 2017, you have two years to expend the funds. If you can't get it done in that time period, there are instructions in Appendix E that tell you about how to request waivers. And, the expenditure deadline is one of the waivers you can ask for. But, in no case can you, will you have access to the line of credit past 2022. You will, however, and this was after and I haven't put it up yet on the FAQs, but it is possible that you will have completed most grant activities and drawn all the CDBG NDR funds down, but maybe still have leverage funds to go in the project and not meet a national objective for some time thereafter. So, HUD isn't going to close the grant at that point necessarily, whenever you hit the expenditure deadline. You simply won't have access to our funds anymore past that category unless you've program income, in which case you may. We'd have to see how that works. Program income waiver is different from what many of you have ever seen before. It's very similar to the one that current CDBG DR grantees have, but not like NSP or CDBG regular. So, you definitely want to read Appendix A for the program income and how that works.

"Where can you find the Appendices?" Grants.gov likes to hide the Appendices. They're under the link called Application Instructions, which leads, gives you, leads you to a zipped file that has everything in it, all the appendices, the NOFA, as updated for Phase II, and it's labeled Phase II.

And, a PDF file that tells you what the substantive changes were that we made between Phase I and Phase II to the NOFA. And, we do have instructions up on the HUD Exchange, that if you follow them you can find that application instructions link. Don't click the application link, click the application instructions link. It's just to torture us, that's where they thought they'd hide it.

Do we have anything else?

Allison: That's all we have.

Jessie: Do you all have any other questions? I know there's still a bunch of you out there. Going once, going twice. I think I'm going to say Happy Fourth of July to all of you, and make sure you get a little break this weekend. We really enjoyed talking to you and we'll be back again, I guess, next week.

Duncan: Yes we will.

Jessie: Yeah, how did we do that, make that a commitment to go once a week? All right. We'll be seeing you and hearing from you then.

Duncan: Okay. Thank you.

Jessie: Thank you. Have a great holiday weekend, you, too. Sandy?

Sandy: Yes.

Jessie: Take us out, I guess.