

**STATE OF NEW YORK  
COMMUNITY DEVELOPMENT BLOCK GRANT  
DISASTER RECOVERY (CDBG-DR) PROGRAM  
NONSUBSTANTIAL AMENDMENT NO. 17**

**August 28, 2017**

**Additions to: NEW YORK STATE ACTION PLAN INCORPORATING AMENDMENTS  
8-15 and AMENDMENT 16 (SOON TO BE CONSOLIDATED)**

**In sections: Proposed Allocation of Funds and Citizen Participation Plan.**

**Summary:**

Action Plan Amendment 17 (APA 17) will address the following items:

- A. *Proposed Allocation of Funds:* Table updated to reflect the reallocation of funds between programs.
- B. *Citizen Participation Plan:* Minor edits to reflect clarifications to the State's Citizen Participation Plan.

Changes are indicated in red text.

## A. Proposed Allocation of Funds

**Description of changes:** All updates associated with the proposed APA17 allocation of funds will be made to the tables at page 7 and page 58 of the State's Action Plan.

*From pages 7 and 58 of the New York State Action Plan:*

Program	Revised APA 15 Allocation	APA Changes	Revised APA Allocation
<b>Total of All Programs</b>	<b>\$4,516,882,000</b>	<b>\$0</b>	<b>\$4,516,882,000</b>
<b>Housing</b>	<b>\$2,675,485,106</b>	<b>\$1,000,000</b>	<b>\$2,676,485,106</b>
<i>NY Rising Homeowner Recovery Program</i>	\$1,648,277,424		\$1,648,277,424
<i>NY Rising Condominium &amp; Cooperative Program</i>	\$35,000,000		\$35,000,000
<i>Interim Mortgage Assistance Program</i>	\$48,000,000	\$1,000,000	\$49,000,000
<i>NY Rising Buyout and Acquisition Program</i>	\$680,207,682		\$680,207,682
<i>NY Rising Rental Buildings Recovery Program</i>	\$234,000,000		\$234,000,000
Rental Properties and Affordable Rental Opportunity	\$124,000,000		\$124,000,000
Multi-Family Affordable Housing	\$110,000,000		\$110,000,000
<i>Public Housing Assistance Relief Program</i>	\$10,000,000		\$10,000,000
<i>Manufactured Home Community Resiliency Program</i>	\$20,000,000		\$20,000,000
<b>Economic Development</b>	<b>\$113,000,000</b>	<b>\$0</b>	<b>\$113,000,000</b>
<i>Small Business Grants and Loans</i>	\$82,600,000		\$82,600,000
<i>Business Mentoring Program</i>	\$400,000		\$400,000
<i>Tourism and Marketing</i>	\$30,000,000		\$30,000,000
<b>Community Reconstruction</b>	<b>\$698,432,794</b>	<b>\$0</b>	<b>\$698,432,794</b>
<i>NY Rising Community Reconstruction Program</i>	\$698,432,794		\$698,432,794
<b>Infrastructure and Match</b>	<b>\$624,120,000</b>	<b>(\$1,000,000)</b>	<b>\$623,120,000</b>
<i>Local Government &amp; Critical Infrastructure Program</i>	\$145,000,000		\$145,000,000
<i>Non-federal Share Match Program</i>	\$237,920,000	(\$1,000,000)	\$236,920,000
<i>Suffolk County Coastal Resiliency and Water Quality Improvement Initiative</i>	\$47,000,000		\$47,000,000
<i>Bay Park Waste Water Treatment</i>	\$101,000,000		\$101,000,000
<i>Long Island Power Authority</i>	\$90,500,000		\$90,500,000
<i>Resiliency Institute for Storms and Emergencies</i>	\$2,700,000		\$2,700,000
<b>Rebuild by Design</b>	<b>\$185,000,000</b>	<b>\$0</b>	<b>\$185,000,000</b>
<i>Living with the Bay: Slow Streams</i>	\$125,000,000		\$125,000,000
<i>Living Breakwaters: Tottenville Pilot</i>	\$60,000,000		\$60,000,000
<b>Administration &amp; Planning</b>	<b>\$220,844,100</b>		<b>\$220,844,100</b>

## **B. Citizen Participation Plan**

*Description of changes:* Minor edits to reflect clarifications to parts of the State's Citizen Participation Plan.

From page 133 of the New York State Action Plan:

### *Programmatic Outreach*

Through the NYRCR Program, there have been over 650 Planning Committee Meetings to construct a vision statement; to conduct an inventory of critical assets and an assessment of risks; and then ultimately to craft the strategies, and proposed projects or actions, to address these risks. All meetings were open to the public and were publicized by media advisories, flyers, and posters hung in public buildings; radio announcements; and through social media. Where necessary, meetings were advertised in various languages to ensure the immigrant population was informed. Translators were also present at meetings so that information was clearly understood. For the hearing impaired, sign language interpreters were also available.

More than 250 Public Engagement Events attracted thousands of community members, who provided feedback on the NYRCR planning process and proposals and made additional suggestions. Planning Committee members were instrumental in representing communities that are traditionally underrepresented in disaster recovery, from engaging immigrant populations to working with high school students. Committee members made presentations at senior housing complexes, religious gatherings, schools, and at Chambers of Commerce.

For the Small Business program, GOSR worked in coordination with the Empire State Development Corporation (ESD) as well as its sub-recipient, the Small Business Development Center (SBDC) to create a multi-pronged approach to reach out to more than 3,000 businesses in the impacted communities. ~~This has~~ included paid advertising, door-to-door visits, press releases and other public relations efforts, and collaboration with various constituents and community organizations.

Early in the NY Rising Homeowner Program, the State partnered with the Long Island Housing Partners to target community outreach including but not limited to, persons with disabilities and other special needs, and senior households, with a focus on low- and moderate- income minority communities; outreach to and coordination with civic associations, religious and advocacy groups (racial equity), social service agencies, emergency aid not-for profits, educational institutions, and outreach to residences impacted by the disaster.

The State's vendors on the project also held numerous meetings to inform the public about the availability of grants for home repairs. This outreach consisted of a variety of methods: media announcements, online updates on the Storm Recovery website and through Storm Recovery profiles on social media platforms including Facebook, Twitter, and Instagram, community meetings, and partnerships with sub-recipients. Additionally, staff frequently made presentations to community groups, specifically in Long Island, to provide updated program information. A similar effort has been conducted in counties in upstate New York to make sure that all impacted homeowners have the most up to date information about the program. In addition, frequent technical assistance meetings were held with applicants to assist homeowners in better understanding the program and completing the rebuilding process successfully.

Further the State also engaged the Welfare Council of Long Island/Long Island Long-Term Recovery Group (LTRG) to conduct targeted outreach to low- and moderate- income individuals that were affected by Superstorm Sandy, in order to encourage these individuals to apply to the NY Rising Housing Recovery Assistance Program before the April 11, 2014 deadline.

For its rental programs, the State ~~continues to~~ conducted outreach to potential landlords throughout the impacted areas that may be eligible for the program. As part of its implementation, the State also conducted outreach to previous tenants of the damaged rental units to make them aware of potential repaired and newly built units as they ~~are-were~~ completed.

#### *Outreach to Vulnerable Populations*

The State also conducted outreach to residents with more acute needs, particularly low- and moderate income households and households headed by non-English speaking persons. As noted above, within the NYRCR program, where necessary, meetings were advertised in various languages to ensure the immigrant population was informed. Translators were also present at meetings so that information was clearly understood. For the hearing impaired, sign language interpreters were also available.

As the State continues to implement programs and work with communities to recover from Hurricane Irene, Tropical Storm Lee and Superstorm Sandy, GOSR is committed to continued outreach and program accessibility to vulnerable populations and ensuring that program information is accessible to populations with language barriers. For example, the APA is translated into Spanish, Russian and Chinese, which are the three languages most needed for persons with language barriers in impacted counties (based on the 2008-2012 ACS 5-Year Estimates, Table B16001, Populations 5 Years and Over Who Speak English less than “very well”). The State continues to translate programmatic materials within its Programs. The State also continues to provide translation services as needed in case management and public meetings.

~~The State’s website ([www.stormrecovery.ny.gov](http://www.stormrecovery.ny.gov)) includes language translation functionality. The State is in the process of upgrading its entire website. In the interim, prior to deployment of the revised website, the State continues to update its current website to enable language access capabilities. In addition, as it rolls out the revised website, the State will prioritize language translation functionality as one of the first phases of the development process.~~ The State also provides translation of any document into additional languages, braille, or any other formats for persons with visual impairments upon request.

The State continues to further these efforts to reach out to all populations and ensure that the community is educated and aware of all of the recovery programs. As programs adjust and move into new phases, the State will continue to adjust their public outreach to ensure comprehensive outreach to all populations.

### Public Notices, Public Hearings, and Comment Period

The State Citizen Participation Plan ensures that there is reasonable and timely access for public notice and comment on the activities proposed for the use of CDBG-DR grant funds. In the Notices for the Second and Third Allocation HUD revised the requirements for public hearings. The State always holds one public hearing, at minimum, for each substantial amendment, starting with APA6. Written minutes of the hearings and attendance rosters are kept for review by State officials. The State continues to coordinate outreach meetings with State entities, local governments, non-profits, private sector, and involved associations. The State invited public comment to the New York Disaster Recovery Action Plan and will continue to invite public comment for any future Substantial Amendments for a minimum thirty days, posted prominently and accessed on GOSR’s official website.

#### *Substantial Amendments to the Action Plan*

The State has defined Substantial Amendments to the Action Plan as those proposed changes that require the following decisions:

- Addition or deletion of any allowable activity described in the approved application;

- The allocation or re-allocation of more than \$1 million; and/or,
- Change in the planned beneficiaries.

Those amendments which meet the definition of a Substantial Amendment are subject to public notification, public hearings and public comment procedures. Citizens and units of local government are provided with reasonable notice and an opportunity to comment on proposed Substantial Amendments to the Action Plan. A notice and copy of the proposed Substantial Amendment is posted on the agency's official website. Citizens are provided with no less than thirty days to review and comment on the proposed amendment.

A summary of all comments received and responses are included in the submission to HUD and posted to GOSR's official website. A summary of the comments and responses can be found in the relevant Action Plan Amendment on GOSR's website. Non-substantial Amendments to the Action Plan are posted on GOSR's official website after notification is sent to HUD and the amendment becomes effective. Every Amendment to the Action Plan (substantial and non-substantial) is numbered sequentially and posted on the website.

### *Performance Reports*

The State must submit a Quarterly Performance Report through HUD's Disaster Recovery Grant Reporting (DRGR) system no later than thirty days following the end of each calendar quarter. Within three days of submission to HUD, each QPR must be posted on GOSR's official website ~~for public review and comment~~. The State's first QPR is due after the first full calendar quarter after the grant award. QPR's will be posted on a quarterly basis until all funds have been expended and all expenditures have been reported. **Each QPR is available at: <https://stormrecovery.ny.gov/funding/quarterly-reports>.**

Each QPR includes information about the uses of funds in activities identified in the Action Plan as entered in the DRGR reporting system. This includes, but is not limited to: project name, activity, location, and National Objective; funds budgeted, obligated, drawn down, and expended; the funding source and total amount of any non-CDBG-DR funds to be expended on each activity; beginning and actual completion dates of completed activities; achieved performance outcomes such as number of housing units complete or number of low- and moderate- income persons benefiting; and the race and ethnicity of persons assisted under direct-benefit activities. The State must also record the amount of funding expended for each Contractor identified in the Action Plan. Efforts made by the State to affirmatively further fair housing are included in the QPR.

During the term of the grant, the grantee provides citizens, affected local governments, and other interested parties with reasonable and timely access to information and records relating to the approved program and to the grantee's use of grant funds as well as contracts procured with CDBG-DR funding. This information is posted on the grantee's official website and provided on request.

### Technical Assistance

The State provides technical assistance to facilitate citizen participation where requested, particularly to groups representative of persons of low- and moderate- income and vulnerable populations. The level and type of technical assistance is determined by the applicant/recipient based upon the specific need of the community's citizens.

### Citizen Participation Requirements for Sub-recipients and Local Governments Participating in CDBG-DR Programs

To ensure applicant compliance with Section 508 of the Housing and Community Development Act of 1974, as amended, the citizen participation requirements for Units of General Local

Government (UGLG) applying for or receiving Disaster Recovery funds from the State are as follows:

Each applicant shall provide citizens with adequate opportunity to participate in the planning, implementation, and assessment of the CDBG program. The applicant shall provide adequate information to citizens, obtain views and proposals of citizens, and provide opportunity to comment on the applicant's previous community development performance.

UGLGs that receive CDBG-DR funds must have a written and adopted Citizen Participation Plan which:

- Provides for and encourages citizen participation, with particular emphasis on participation by persons of low- and moderate- income who are residents of slum and blighted areas and of areas in which funds are proposed to be used;
- Provides citizens with reasonable and timely access to local meetings, information, and records relating to the State's proposed method of distribution, as required by regulations of the Secretary, and relating to the actual use of funds under Title I of the Housing and Community Development Act of 1974, as amended, and the unit of local government's proposed and actual use of CDBG funds;
- Provides for technical assistance to groups representative of persons of low- and moderate-income that request such assistance in developing proposals with the level and type of assistance to be determined by the grantee;
- Provides for the review of proposed activities and program performance by potential or actual beneficiaries, and with accommodations for the disabled;
- Provides for a timely written answer to written complaints and grievances, within 15 working days where practicable;
- Identifies how the needs of non-English speaking residents will be met where a significant number of non-English speaking residents can be reasonably expected to be involved;
- Establishes procedures and policies to ensure non-discrimination, based on disabilities, in programs, and activities receiving federal financial assistance as required by Section 504 of the Rehabilitation Act of 1973, as amended.

The plan must be made available to the public and must include procedures that meet the following requirements:

- *Performance Hearings:* Prior to close out of the disaster recovery program, the Program, the UGLG and State sub-recipients may be required to hold a public hearing to obtain citizen views and to respond to questions relative to the performance of the program. This hearing is held after adequate notice, at times and locations convenient to actual beneficiaries and with accommodations for the disabled and non-English speaking persons provided. Written minutes of the hearings and attendance rosters are kept for review by State officials. Nothing in these requirements shall be construed to restrict the responsibility and authority of the applicant for the development of the application.
- *Complaint Procedures:* The State ensures that each UGLG, or sub-recipient funded with CDBG-DR funds has written citizen and administrative complaint procedures. The written Citizen Participation Plan provides citizens with information relative to these procedures or, at a minimum, provides citizens with the information relative to the location and hours at which they may obtain a copy of these written procedures. All written citizen complaints which identify deficiencies relative to the UGLG, sub-recipient's community development program merit careful and prompt consideration. All good faith attempts are made to satisfactorily resolve the complaints at the local level. Complaints are filed with the Executive Director or Chief Elected Official of the entity who is receiving the funds and who is investigating and reviewing the complaint. A written response from the Chief

Elected Official, Agency Head, or Executive Director to the complainant is made within 15 working days, where practicable. ~~A copy of the complaint and determination must be sent to GOSR's head of Monitoring and Compliance.~~