

2nd Amendment to the CDBG-DR Action Plan for Electrical Systems Enhancements (Substantial): Public Comments

Preface

Public comments related to the 2nd Amendment to the Community Development Block Grant - Disaster Recovery (**CDBG-DR**) Action Plan for Electrical Systems Enhancements (Substantial) were received in English and in Spanish. All comments, in their entirety and in the language and format in which they were submitted, are available at <https://recuperacion.pr.gov/> and in Appendices A.0 and A.1 of the Action Plan.

For the benefit of the reader, the comments submitted have been summarized in this document in Spanish and English. The comments cited may be paraphrased as a result of the translation process or for conciseness. Personally identifiable information has been removed from the comments to protect the commenter's privacy. Please refer to the text of the comments submitted for additional information.

You may contact the Puerto Rico Department of Housing (**PRDOH**) to request the complete translation of any comment or the alternative means of access or formats to obtain access to the public comments and the responses from PRDOH. Requests can be made:

- By phone, at 1-833-234-CDBG or 1-833-234-2324
- By email to infoCDBG@vivienda.pr.gov
- Online at <https://recuperacion.pr.gov/en/contact/> (English) or at <https://recuperacion.pr.gov/contact/> (Spanish)
- By mail:
CDBG-DR Puerto Rico Program
P.O. Box 21365
San Juan, PR 00928-1365

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Public Comments

Comment ID: 01/09/24_WP_I_Rafael fernandez(1)

Comment: "cdbg-dr. I suggest retired people over 65 years old, sem-invalid, living on social security and having served in the Armed Forces, be automatically included in the program, and be notified accordingly on approval."

PRDOH Response:

Thank you for your participation during the public comment period for the draft 2nd Amendment to the CDBG-DR Energy Action Plan (Substantial). The comment does not provide enough information for the Puerto Rico Department of Housing (PRDOH) to identify which program you are referring. However, we encourage you to contact the PRDOH team by calling 1-833-234-2324 or TTY 787-522-5950, via email to infoCDBG@vivienda.pr.gov, or by regular mail at the following address: Puerto Rico CDBG-DR/MIT Program, PO Box 21365, San Juan, PR, 00928-1365 to provide a more detailed description of your recommendation. Additionally, we invite you to review the 2nd Amendment to the CDBG-DR Energy Action Plan (Substantial) available on the PRDOH website at <https://recuperacion.pr.gov/en/action-plans/action-plan-electrical-system-enhancements/> (English) and <https://recuperacion.pr.gov/planes-de-accion/plan-de-accion-optimizacion-del-sistema-electrico/> (Spanish) to learn about the available programs.

Comment ID: 001/09/24_WP_PS_Aida L Morales_Aida L Morales(1)

Comment: "Two years ago I went with my disabled sister [REDACTED] to ask for help for the R3 funds and we are still waiting! I will be grateful for any help in this matter. [REDACTED] 😊"

PRDOH Response:

The Puerto Rico Department of Housing (PRDOH) appreciates your comment. Your case was referred to the Home Repair, Reconstruction, or Relocation (R3) Program team to provide you with the status of your application, as well as address any situation, and they have reached out to you. Additionally, you may visit the following link to check the status of your case under the R3 Program: <https://recuperacion.pr.gov/iframes/intakestatus>. You can also request the status of your case and any other pending applications under other programs by email at infoCDBG@vivienda.pr.gov, by calling 1-833-234-2324 or TTY 787-522-5950, or by mail: CDBG-DR/MIT Program Puerto Rico, P.O. Box 21365, San Juan, PR, 00928-1365.

Comment: "I received this document and I need more guidance to know what I am going to say."

PRDOH Response:

Based on the information provided on your comment, the Puerto Rico Department of Housing (PRDOH) believes you are referring to the 2nd Amendment to the CDBG-DR Energy Action Plan. On January 10, 2024, the PRDOH team sent you the following message via e-mail:

"Greetings Mrs. Sonia Delgado Diaz,

The Puerto Rico Department of Housing is responsible for administering CDBG-DR funds for the Optimization of Puerto Rico's Electric System. PRDOH developed an Action Plan to outline the use of CDBG-DR funds and how unmet energy needs will be addressed for the recovery of the electric power system affected by Hurricanes Irma and Maria.

These are subject to various amendments throughout the duration of the grant to reflect programmatic changes, reallocation of funds, and updates to unmet needs, as appropriate.

The document that came to you is a draft substantial amendment to the Action Plan for the Optimization of the Puerto Rico Electric System, (link included) [Microsoft Word - ADM POLI Energy Action Plan Amendment 2 - SUBSTANTIAL ES \(pr.gov\)](#) On January 4, 2024, the Department of Housing published this draft amendment to receive public comments from citizens and interest groups over a 30-day period. If you would like to submit a comment on this draft amendment, please do so through the following link :<https://recuperacion.pr.gov/iframes/CDBGDR-Energy-APA2-Substantial-Public-Comments.html>, other ways to submit comments.: Legal Division PO Box 21365 San Juan, PR 00928-1365, Email:infoCDBG@vivienda.pr.gov, Phone: +1-833-234-2324 TTY 787-522-5950

[2nd Amendment to CDBG-DR Action Plan for Electric System Optimization \(Substantial\): Draft for Public Comment - CDBG \(pr.gov\)](#)

Kind regards

Office of Disaster Recovery

Visitor: recuperacion.pr.gov"

Additionally, PRDOH encourages you to contact us by sending an email to infoCDBG@vivienda.pr.gov, by calling 1-833-234-2324 or TTY 787-522-5950, or by mail: CDBG-DR/MIT Program Puerto Rico, P.O. Box 21365, San Juan, PR, 00928-1365, should you have any additional questions regarding this amendment or any other CDBG-DR/MIT Action Plan.

Comment ID: 01/10/24_WP_I_AuxilioSpot(1)

Comment: "<https://youtu.be/BWjrCm-Fkc4>"

PRDOH Response:

The public comment does not provide enough information for the Puerto Rico Department of Housing (PRDOH) to formulate a response. However, we encourage you to contact the PRDOH team by sending an email to infoCDBG@vivienda.pr.gov, by calling 1-833-234-2324 or TTY 787-522-5950, or by mail: CDBG-DR/MIT Program Puerto Rico, P.O. Box 21365, San Juan, PR, 00928-1365, to request any guidance regarding the programs available under the CDBG-DR, CDBG-MIT and CDBG-DR Energy funds.

Comment ID: 01/11/24_WP_I_Enrique Aponte Ortiz(1)

Comment: "*I need my solar panel system please. (Thank you)*"

PRDOH Response:

Thank you for your comment. The Community Energy and Water Resilience Installations – Household Program (CEWRI-HH), funded by CDBG-MIT, consists of two subprograms: The Home Energy Resiliency Improvements Subprogram (CEWRI-HERI Subprogram), more commonly known as the New Energy Program, and the Incentive Program (CEWRI-IP Subprogram), more commonly known as the Solar Incentive Program. The New Energy Program provides funding to Low- and Moderate-Income families with energy needs for the acquisition and installation of renewable solar energy equipment consisting of a Photovoltaic System (PVS) and a Battery Storage System (BSS). This Program provides a maximum grant of \$30,000 for the acquisition and installation of the systems.

On January 25, 2024, the New Energy Program team sent you an email providing information about the second round of tickets to apply for the Program. Below is the communication:

"Thank you for contacting the Department of Housing and for your interest in the New Energy Program.

The next and final round of the New Energy Program will open on January 31, 2024, at 8:00 am with an availability of 6,000 turn tickets.

Starting from that date, tickets can be obtained through one of the following channels:

Online through www.nuevaenergia.pr.gov.

Through our Call Center at 1-833-234-2324 during Monday to Friday from 8:00 am to 5:00 pm.

By visiting one (1) of ten (10) Registration Centers across the Island during Monday to Friday from 8:00 am to 5:00 pm.

More information about eligibility criteria, income limits, ticket distribution, among others, is available online through www.nuevaenergia.pr.gov.

Thank you again for your interest. We wish you success in obtaining a ticket in the upcoming round."

If you received a ticket, you have until May 31, 2024, to complete your application by submitting the required documentation at the following link: <https://recuperacion.pr.gov/iframes/CEWRI-UI.html>. You can also request the status of your case and any other pending applications under other programs by sending an email to infoCDBG@vivienda.pr.gov, by calling 1-833-234-2324 or TTY 787-522-5950, or by mail: CDBG-DR/MIT Program Puerto Rico, P.O. Box 21365, San Juan, PR, 00928-1365.

Comment ID: 01/11/24_WP_I_Juan R Meléndez Bermudez(1)

Comment: "Program for solar panels of the first face [sic] and to this date I have not received any communication either by letter or e-mails or from the handler."

PRDOH Response:

One of PRDOH's main priorities and responsibilities is to maintain an open communication regarding citizen concerns related to CDBG-DR and CDBG-MIT programs. For this, you can contact the PRDOH team by sending an email to infoCDBG@vivienda.pr.gov, by calling 1-833-234-2324 or TTY 787-522-5950, or by mail: CDBG-DR/MIT Program Puerto Rico, P.O. Box 21365, San Juan, PR, 00928-1365. Additionally, you may file a formal complaint through the link: <https://recuperacion.pr.gov/en/complaints/> (English) or <https://recuperacion.pr.gov/quejas/> (Spanish). PRDOH will address all complaints received promptly and provide a substantive and timely response

Comment ID: 01/12/24_WP_I_Sonia N. Delgado(1)

Comment: "The working and retired middle class needs help to defray the high cost of power with LUMA."

PRDOH Response:

The Puerto Rico Department of Housing (PRDOH) appreciates your comment. PRDOH designed the Community Energy and Water Resilience Installations – Household Program (CEWRI-HH), which consists of two subprograms: the Home Energy Resiliency Improvements Subprogram (CEWRI-HERI Subprogram), more commonly known as the New Energy Program, and the Incentive Program (CEWRI-IP Subprogram), more commonly known as the Solar Incentive Program. Both programs offer financing for the installation of Photovoltaic Systems (PVS) with Battery Storage Systems (BSS). However, the CEWRI-HERI Program directs its assistance to meet the energy needs of Low- and Moderate-Income (LMI) households. Note that per federal regulations, seventy percent (70%) of CDBG-DR funds must benefit LMI populations. If you want to verify the income limits related to Program

eligibility, please visit the following link: <https://www.hudexchange.info/resource/5334/cdbg-income-limits/>. These income limits are reviewed and/or modified on a yearly basis by the United States Department of Housing and Urban Development (HUD). The CEWRI-HERI Program conducted its final round for tickets on January 31, 2024. If you received a ticket, you have until May 31, 2024, to complete your application by submitting the required documentation at the following link: <https://recuperacion.pr.gov/iframes/CEWRI-UI.html>. We encourage you to stay tuned to the PRDOH CDBG-DR/MIT website at <https://recuperacion.pr.gov/welcome/en/home/> (English) and <https://recuperacion.pr.gov/welcome/home/> (Spanish) for more information on this and other programs.

We would like to clarify that the CEWRI-IP Program allowed for applicants with households with an Area Median Family Income (AMFI) of up to two hundred percent (200%) who have an ownership or a proprietary interest in a single-family structure that is their primary residence. This change was made to provide more Puerto Rican households, including the middle class, with the opportunity to receive assistance to meet their energy needs. The CEWRI-IP Program conducted its final round for tickets on August 10, 2023, where a ticket was given to individuals who met the initial screening criteria prior to submitting a completed application to the program. Citizens who received a ticket were required to submit their application to the PRDOH website within 120 days of receiving the ticket.

If you received a ticket and completed the application process under CEWRI-IP Program, please visit the program portal to check the status of your application at: <https://incentivosolar.pr.gov/form.html>.

Comment ID: 01/17/24_WP_GE_Nuevaenergia.pr.gov_Ana m javier(1)

Comment: *"I am trying. To fill out an application for new energy and I have no success the other time I tried and I didn't get it now I don't want to be left out please help me I am low income but I have my own house."*

PRDOH Response:

The New Energy Program, also known as the Home Energy Resiliency Improvements Program (CEWRI-HERI Subprogram) under the CDBG-MIT Action Plan, provides funding to Low- and Moderate-Income families with energy needs for the acquisition and installation of renewable solar energy equipment consisting of a Photovoltaic System (PVS) and a Battery Storage System (BSS). This Program provides a maximum grant of \$30,000 for the acquisition and installation of the systems.

On January 18, 2024, the New Energy Program team sent you an email providing information about the second round of tickets to apply for the Program. Below is the communication:

"The next and final round of the New Energy Program will open on January 31, 2024, at 8:00 am with an availability of 6,000 turn tickets."

Starting from that date, tickets can be obtained through one of the following channels:

Online through www.nuevaenergia.pr.gov, through our Call Center at 1-833-234-2324 during Monday to Friday from 8:00 am to 5:00 pm. By visiting one (1) of the ten (10) Registration Centers across the Island during Monday to Friday from 8:00 am to 5:00 pm.

More information about eligibility criteria, income limits, ticket distribution, among others, is available online through www.nuevaenergia.pr.gov.

Thank you again for your interest. We wish you success in obtaining a ticket in the upcoming round."

If you received a ticket, you have until May 31, 2024, to complete your application by submitting the required documentation at the following link: <https://recuperacion.pr.gov/iframes/CEWRI-UI.html>. We encourage you to stay tuned to the PRDOH CDBG-DR/MIT website at <https://recuperacion.pr.gov/welcome/en/home/> (English) and <https://recuperacion.pr.gov/welcome/home/> (Spanish) for more information on this and other programs. Likewise, the PRDOH team has shared your information with CEWRI-HH Program to get a better understanding of your situation and guide you on how to apply to the Program.

Thank you for contacting the Puerto Rico Department of Housing (PRDOH) and for your interest in the New Energy Program.

Comment ID: 01/19/24_WP_I_Mariluz Marrero Rivera(1)

Comment: *"In several communities in PR, during the most recent hurricane Fiona, due to flooding, poles and more trees fell down. Although some were replaced, they left the old pole tied to the new one, creating a bigger problem in case of another natural event. In urbanizations such as in Lomas Verdes, BAYAMÓN, retaining walls fell and this has caused landslides and in case of heavy rains can further deteriorate the place where the power poles are located. There are houses whose roofs were affected, causing a greater amount of leaks and possible structural deterioration of the house."*

PRDOH Response:

Thank you for your comment. On January 24, 2024, the Puerto Rico Department of Housing (PRDOH) posted the CDBG-DR Action Plan for public comment in response to Hurricane Fiona and the February 2022 Floods. Funds from this allocation under CDBG-DR are intended to address the unmet needs and provide remaining funds to support mitigation activities for communities affected by these previous disasters. The Initial CDBG-DR Action Plan in response to Hurricane Fiona and the February 2022 Floods is available in English and Spanish at: <https://recuperacion.pr.gov/en/action-plans/action-plan-hurricane-fiona-and-february-2022-floods/> (English) and <https://recuperacion.pr.gov/planes-de-accion/plan-de-accion-huracan-fiona-e-inundaciones-2022/> (Spanish). The public comment period is concluded on February 23, 2024.

Comment:

"Dear Secretary:

Please receive warm greetings from the team at Ayuda Legal Puerto Rico. As you are aware, we are a community legal support organization that works in education and advocacy efforts around the post-disaster recovery process and the right to housing.

Available, safe and accessible electric power is a fundamental part of the recovery process. The CDBGs allocated for electric system optimization, along with those mitigation and FEMA public assistance, provide a historic opportunity to transform the public system into a cleaner, safer, and more resilient one. The transformation of the electric system is thus indispensable to address timely disasters such as slow-onset disasters like climate change.

On this occasion, we submit our comments on the draft of the second substantial amendment to the Action Plan for the Use of CDBG-DR Funds for Electric System Optimization. Although we reiterate comments submitted to past versions of the document, today we limit ourselves to one point, but one that we feel is critical: the deletion of the substance amendment due to reallocation of funds.

The published amendment proposes to alter the citizen participation requirements as a result of reallocations of funds under the components of this grant. If the amendment is approved, "[a]ny reallocation between components greater than 10% will result in a non-substantial amendment." On the other hand, the amendment would eliminate the other two circumstances requiring an amendment to the Plan. Currently a reallocation of between 10% and 25% of the budget triggers a non-substantial amendment, while shifting in excess of 25% requires a substantial amendment.¹ Similarly, in the section on citizen participation, the last item among the actions requiring a substantial amendment would be eliminated: "A budget adjustment between components of more than 25%, as explained in the section on Electric System Optimization Programs.

The proposed amendment effectively eliminates the possibility of a reallocation of funds triggering a substantial amendment process which, unlike non-substantial, requires a public comment process. Not only is this different from other CDBG programs, which the Department has similarly claimed require flexibility and agility, but we find it an unwarranted restriction on citizen participation and limits transparency in the procedures.

While it is true that the Department has said it can receive comments on any amendment, the reality is that formal participation processes facilitate and move people to comment. The Department is choosing to limit participation when it should be broadening it.

We reiterate, as we have done throughout the processes related to all CDBG-DR funds, participatory mechanisms are an opportunity to involve the population in the decision-making process and can help generate ideas, solve problems and foster cooperation between the people and the recipients and subrecipients of funds. These processes are, or should be, as beneficial to the government agency as they are to the people. In HUD's

words, people recovering from disasters are best suited to ensure that recipients are informed of missed opportunities and additional risks that must be addressed.

The state has a duty both to enable participation and to establish mechanisms that facilitate and enable that participation.

Therefore, we recommend maintaining the requirement that changes in the allocation that exceed 25% of the budget require a substantial amendment.

The transformation of the electrical system is vitally important. Lack of electric power was a major driver of deaths after Maria and for displacement to the United States after the hurricane.⁴ The high cost and intermittency of service reduces people's quality of life and puts a great strain on businesses, businesses and services. This requires, at a minimum, that people be able to actively and effectively participate in decisions that affect essential service.

Cordially yours,

s/Lcda. Ariadna M. Godreau Aubert

Executive Director

s/Lt. Veronica Gonzalez Rodriguez

Community Attorney"

PRDOH Response:

Thank you for your participation in the public comment period for the 2nd Amendment to the CDBG-DR Energy Action Plan (Substantial). The Puerto Rico Department of Housing (PRDOH) is committed to conducting strategic, high-impact activities to mitigate disaster risks in the Island's electrical power system to better serve the citizens of Puerto Rico.

According to the Federal Register Notice, Vol. 86, No. 117 (June 22, 2021), PRDOH must expend one hundred percent (100%) of the grant funds within six years. Additionally, the substantial amendment process for amending the CDBG-DR Energy Action Plan usually takes more than a quarter of a year. As PRDOH has discovered throughout the grant implementation process, the amount of time required for a substantial amendment to the Action Plan in order to reallocate funds between functional groupings threatens the most transformative strategic projects being funded. Expediency is needed when funding electrical grid improvement projects of this scale and complexity of.

PRDOH would like to clarify that citizens are always able to voice their opinions through the available communication methods to contact the PRDOH team, by calling 1-833-234-2324 or TTY 787-522-5950, via email to infoCDBG@vivienda.pr.gov, or by regular mail at the following address: Puerto Rico CDBG-DR/MIT Program, PO Box 21365, San Juan, PR, 00928-1365. Additionally, citizens may submit their comments and recommendations regarding the any of the CDBG-DR or CDBG-MIT Programs by using the "Contact Us" tool included in PRDOH's website. The "Contact Us" tool can be accessed directly at <https://recuperacion.pr.gov/en/contact-us/> (English) and <https://recuperacion.pr.gov/contactanos/> (Spanish). For more information on the various

methods for citizen participation, please see PRDOH's Citizen Participation Plan at <https://recuperacion.pr.gov/en/download/citizen-participation-plan/> (English) and <https://recuperacion.pr.gov/download/plan-de-participacion-ciudadana/> (Spanish).

The PRDOH team is dedicated to implementing the best projects to support the resilience of the electrical power grid of Puerto Rico for its citizens. We appreciate Ayuda Legal Puerto Rico's interest in the development and execution of the 2nd Amendment to the CDBG-DR Energy Action Plan (Substantial).
